



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 427-2327 • Fax (907) 472-2404

**WHITTIER CITY COUNCIL  
WILL HOLD  
A REGULAR MEETING  
TUESDAY, APRIL 18, 2017  
AT 7:00 PM**

**COUNCIL CHAMBERS  
P-12 BUILDING**

**AGENDA**

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- 2. OPENING CEREMONY**
- 3. ROLL CALL**
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  - B. Administration Present
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**WHITTIER CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MARCH 21, 2017  
7:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

**MINUTES**

**1. CALL TO ORDER**

Mayor Daniel Blair called the meeting to order at 7:03 p.m.

**2. OPENING CEREMONY**

Mayor Daniel Blair led the Pledge of Allegiance.

**3. ROLL CALL**

**A. Council members present and establishing a quorum:** Debra Hicks, Dave Pinquoch, Dave Dickason, Peter Denmark and Daniel Blair.

**B. Council Members Absent:** Monty Irvin and Victor Shen

**MOTION:** Dave Dickason made a motion to excuse Monty Irvin and Victor Shen from tonight's council meeting.

**SECOND:** Dave Pinquoch

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**C. Administration Present:**

Mark Lynch, City Manager

Jennifer Rogers, City Clerk

Scott Korbe, Public Works Director

David Schofield, Director of Public Safety

Kyle Sinclair, Harbormaster

John Li, Finance Officer

Terry Morrison, Public Safety Bldg. Manager

Holly Wells, City Attorney

**Others Present:**

Mike Bender

Gregg Clifford

Lindsey Erk

David Goldstein

Andrea Korbe

Brenda Nix

Tim Sullivan

**4. APPROVAL OF MINUTES**

February 21, 2017 Regular Meeting Minutes

**MOTION:** Dave Pinquoch made a motion to approve the meeting minutes of February 21, 2017 as written.

**SECOND:** Debra Hicks  
**DISCUSSION:** None  
**VOTE:** Motion passed unanimously

**5. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Dave Pinquoch made a motion to approve the regular meeting agenda with an amendment to remove Resolution #06-2017.

**SECOND:** Debra Hicks  
**DISCUSSION:** None  
**VOTE:** Motion passed unanimously

**6. MAYOR'S REPORT**

**A. Mayor's Report by Mayor Daniel Blair**

No report was given.

**B. Vice Mayor Report by Vice Mayor Dave Pinquoch**

No report was given.

**7. MANAGER'S REPORT**

**A. City Manager's Report- Mark Lynch**

See written manager's report in original council packet.  
Mark Lynch briefly went over his written report.

He disclosed that there will be a new fish processor in town and an official announcement will come in the near future.

**1. Finance Update on Public Safety Building and Harbor Projects**

Mark Lynch provided the council members with a financial break-down of the fund balance. He announced that we are second on the list for the water loan and we should receive an update in the next seven to ten days.

The bond sale for the harbor has been approved and will occur in April with the closing set for April 27<sup>th</sup>.

**B. City Attorney's Report**

**1. Report on City Ethics Code**

Holly Wells reported that our code requires an Ethics Committee, but there has been some difficulty filing the vacancies.

Holly Wells explained the importance of hiring a Hearing Officer versus the Ethics Committee the City currently has. She reviewed the structure and how the hearings are conducted under the City's Ethics Committee. She then explained the process involved in using a Hearing Officer, who is not part of the local community.

Holly stated that there are several communities who are moving in the same direction by hiring hearing officers when it comes to ethics and other controversial, high-profile community interests. The hearing officers are usually attorneys, administrative law judges, or hearing officers outside the community. The outcome of the hearing can be decided by the administrative hearing officer, then if needed, it would be appealable to the Superior Court.

The Office of Administrative Hearings for the State has started to advertise and actively serve municipalities by providing hearing officers at the rate of \$165 an hour. Holly Wells then discussed what can be done to make the hearing, complaint and response process cleaner and less vulnerable to appeal and criticism.

### **C. School District Report**

See report in original council packet.

Lindsey Erk thanked the community for supporting the five students involved with Travel Club. The five students will travel to Seattle for five days in May. She then thanked Terry Morrison for allowing the students to tour the Public Safety Building. She thanked those who came and read during the Dr. Seuss week. And lastly, she thanked Dave Goldstein for providing Mrs. Korbe's class with information relating to the weather.

### **D. Directors Reports**

#### **1. Financial Report**

See report in original council packet.

#### **2. Harbor Report**

See written report in original council packet.

#### **3. Public Safety Report- Dave Schofield**

See written report in original council packet.

Director of Public Safety, David Schofield, stated that he created a different reporting format to better show the areas where assistance was provided by the officers. He added that the AST stated that there will be a decrease in the trooper presence on the highway starting on May 1<sup>st</sup>.

There was some discussion regarding who should respond to accidents on the Seward Highway after May 1<sup>st</sup>. Peter Denmark asked Dave Schofield to put some thought into creating a buffer. Dave replied that he would.

#### **4. Public Works Report- Scott Korbe**

Scott Korbe stated that he did not submit a written report because he was on vacation the previous week.

He announced that we received two grants from Prince William Sound Regional Advisory Committee for the Forest Service RAC. One grant is in the amount of \$15,000 to install a new gate at Horsetail Falls Trail and the other grant is in the amount of \$25,000 for parking lot improvements at the Horsetail Falls Trail.

The flap is still under progress, which was a \$2 million dollar grant application for the design, engineering and permitting for the Shotgun Cove Road extension beyond the second Salmon Run. We were selected for the grant, however, the federal grant paperwork still needs to be finalized.

#### **5. Public Safety Building Report**

See written report in original council packet.

Terry Morrison reported that the contractor is waiting for the temperature to warm up to 25 degrees before they can complete pouring the concrete on the first floor. Framing on the first floor has begun and should be completed by the end of the month.

## 8. COMMISSION/COMMITTEE REPORTS

### A. Planning Commission

December 7, 2016 Meeting Minutes included in the original council packet.

### B. Port & Harbor Commission

November 3, 2016 Meeting Minutes included in the original council packet.

### C. Parks & Recreation Committee

No report

### D. PWSAC

Written report by Don Stevens was included in the original council packet.

### E. RCAC

Mike Bender reported that the fall meeting will be held in Whittier in September.

## 9. CITIZENS COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING

## 10. CONSENT CALENDAR

None

## 11. PRESENTATIONS

A. Mayoral Proclamation of Appreciation for Gerry and Dodi Protzman

Mayor Daniel Blair read aloud the Proclamation of Appreciation for Gerry and Dodi Protzman.

## 12. ORDINANCES (Non-Ordinance)

### A. Introduction (1<sup>st</sup> reading)

### B. Public Hearing (2<sup>nd</sup> reading)

**1. #01-2017 – An ordinance amending WMC 2.02.030 entitled, Organizational Chart, to permit City Council to amend the City Organizational Chart by Resolution rather than ordinance and adopting a new organizational chart reflecting the current organization of Whittier's City Government.**

**MOTION:** Peter Denmark made a motion to open the public hearing to Ordinance #01-2017.

**SECOND:** David Pinguoch

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**There were no public comments for this ordinance.**

**MOTION:** Peter Denmark made a motion to close the public hearing to Ordinance #01-2017.

**SECOND:** Dave Pinguoch

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**MOTION:** Dave Pinguoch made a motion to adopt Ordinance #01-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** Peter Denmark asked if the organizational chart provided reflects the current and future staffing needs. Mark Lynch replied that it is accurate as of right now. Mayor Daniel Blair shared his concerns regarding the Tax Administrator/Executive Assistant position on the Organizational Chart and stated that he'd like to see all non-director positions removed from the ordinance. He asked fellow council members to consider changing the chart.

The City Manager stated that in error, he listed the Tax Administrator on the chart instead of Executive Assistant. One of the Executive Assistant's duties is to serve as Tax Administrator. Peter Denmark added that the title of Executive Assistant was an assignment by Bob Prunella. The function of an executive assistant would actually fall to an Assistant City Manager. Mark Lynch explained that none of the duties listed under the Executive Assistant's duties are things he would have his assistant city manager work on. Peter replied that perhaps the title Executive Assistant may not be accurately descriptive.

Peter suggested changing the title to Tax Administrator in the ordinance and move the Executive Assistant duties to the Assistant City Manager. Mark replied that she's more than the tax administrator; she's the HR and she also handles the city insurance. Mark stated that he'll take some time to think of an appropriate title.

Mark Lynch went on to say that Tax administrator is just one of the four duties that are listed under Executive Assistant's duties. If it is a title change, it would be that only because she would still need to continue to do the same duties she's doing now. Mark stated that he has no problem if we came up with a different title, but currently in code, it is called the Executive Assistant.

Mark Lynch explained, "We have two types of employees. We have employees that are called exempt: those are department heads, they're salaried employees. This position is called a classified position which means, she gets paid by the hour, and she's eligible for overtime. As far as I know, it's the only classified position that's listed in code. The only reason it might have been done that way is because there are places throughout the code where the code refers to a tax administrator."

He added, "There are also things in our personnel code which refer to our human resources person; so human resources is one of her things." Mark speculated, "Whether or not Bob created a position which incorporated all of these references from code and put them in one place and say, 'This is the person that does that.' There are other positions that aren't listed in the code. The position, tax administrator, is the only classified position listed in code with the duties listed."

Debra Hicks asked if this position can report to the assistant city manager. Mark replied that we can make the change, but he suggests waiting until we get an assistant city manager on staff. Mark stated that he'll speak to a Personnel attorney before doing anything, specifically regarding the human resources aspect.

There was additional discussions regarding the duties of the tax administrator/executive assistant and who this employee should report to.

There was also discussion regarding the wording of the ordinance, specifically in areas where it refers to Whittier's City Government. Holly Wells clarified that the elected officials are not included with the city. The city and the government employees are the staff; the administration. The employees are in a sense, the government of the City. She stated that this ordinance creates a reactionary law. Peter Denmark asked if the word administrative is an appropriate word to use instead of government. Holly concurred with Peter. Mark added that we are not adding new language to the code since the word government is already used to describe the employees in WMC 2.02.030.



**MOTION:** Dave Pinquoch made a motion to amend the ordinance by changing the Tax Administrator title on the organizational chart to Executive Assistant.

**SECOND:** Dave Dickason

**DISCUSSION:** Holly Wells suggested removing the Whittier Voters, Mayor and Council and Commissions to reflect only the administration if the word *administration* is to replace the word *government*.

Mark Lynch explained that the purpose of the organizational chart is intended to show the structure of government and its hierarchy.

**VOTE:** Motion passed unanimously

**VOTE:** Motion passed unanimously to adopt Ordinance #01-2017.

## **14. RESOLUTIONS**

### **1. Resolution # 04-2017- A resolution authorizing the amendment and assignment of Harborview Business Area Lot #9 from Gilman/Phillips to Crazy Ray's Adventures, LLC.**

**MOTION:** Peter Denmark made a motion to adopt Resolution #04-2017.

**SECOND:** Dave Pinquoch

**DISCUSSION:** Mark Lynch provided the council members with a copy of Crazy Ray's business plan. Peter Denmark stated that there are specific information that the City asks for when transferring a lease. Mark Lynch replied that we have only asked for a business plan. Peter stated that using the Eneix files as an example, we should request a business plan, certificate of insurance and a couple of other items. Mark replied that he wasn't given instructions that he was supposed to revert to that. Larry wasn't required to submit those items when he took over the lease from Babs Reynolds; he only submitted a letter stating his business plan.

There was further discussion regarding what documents potential lease holders would be required to submit along with their business plan.

Brenda Nix stated that neither she nor her husband, Ray, has read the master lease. She was advised by Mayor Dan Blair to read the lease prior to signing an agreement.

**VOTE:** Motion passed unanimously

### **2. Resolution #05-2017- A Resolution stating the Rate of Levy, Date of Equalization and date when taxes become delinquent for the 2017 Tax Role.**

**MOTION:** David Pinquoch made a motion to adopt Resolution #05-2017.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council recessed for a break at 8:45 pm and returned at 9:05 pm.**

## **15. EXECUTIVE SESSION**

- A. Discussion of DeLong Dock Management Agreement / ARRC Land Issues – Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.
- B. Public Safety Building Phase 2 Contract – Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.



**MOTION:** Dave Pinquoch made a motion to enter into executive session to discuss the DeLong Dock Management/Agreement and Public Safety Building Phase II. Matters that, if immediately disclosed, would tend to adversely affect the finances of the City.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council entered into executive session at 9:07 p.m.**

**MOTION:** Dave Pinquoch made a motion to end the executive session and return to the regular meeting.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**Council ended the executive session and returned to the regular meeting at 10:27 p.m.**

## **16. UNFINISHED BUSINESS**

### **A. Shotgun Cove Road Project**

Mark Lynch stated that he would like to propose sending out a Request for Proposal or Request for Qualifications for an engineering firm. The firm would work on Shotgun Cove Road, the water front at the harbor, water and waste water issues and whatever else might come along.

### **B. ARRC/COW Land Swap**

Discussed during the executive session.

### **C. Improve Salmon Sport Fishing in Northwest PWS**

Not discussed during this meeting.

### **D. Public Safety Complex- Phase 2**

**MOTION:** Dave Pinquoch made a motion to authorize the City Manager to enter into a change order with SR Bales subject to the terms and conditions of the proposal submitted by SR Bales dated on March 21, 2017.

**SECOND:** Dave Dickason

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

### **E. Paddle Craft Launch**

Not discussed during this meeting.

### **F. Head of Passage Canal Project**

Not discussed during this meeting.

## **17. NEW BUSINESS**

### **A. Port & Harbor Commission recommendation concerning attendance of members.**

Mayor Daniel Blair stated that he spoke with one of the Port & Harbor Commission members regarding the language which addressed the attendance in the WMC. The Port & Harbor meets four times a year. Mark Lynch added, "Currently, code says that if they miss more than three consecutive meetings they can be removed from the commission; that was when they were meeting twelve times a year. Port & Harbor's recommendation was to remove all attendance requirements."

Mayor Blair stated that he'd like to leave the wording as is so that there's a uniform expectation of attendance from both commissions. He is hopeful that if there is an attendance issue, the Chair of the Commission will bring it to the Council's attention.

There was some discussion regarding how a commission member would be removed from the commission if there are attendance issues.

## **B. New City Park- Surveying/Engineering**

Mark Lynch announced that Victor Shen is interested in having the new city park area surveyed to obtain geographical information. Mark has a tentative survey estimate for a boundary survey and put in the gradient lines for about \$6,000. Based on what Victor Shen is interested in doing, Mark suggested hiring a landscape architect.

Mark estimated that the Parks & Rec. Committee might be asking for \$35,000 through a resolution to develop the park space.

Another topic discussed was whether or not to have vault toilets or toilets that flush. Dave Dickason stated that it would all depend on the design and cost. Mark added that Victor Shen is interested in installing a hand-pump water well. There was a brief discussion about the water quality and whether or not it would be tied into the city water system. If the pump is located on city property, and the water is made available for people to drink, then it would need a separate water system. In Mark's opinion, he said that it would be more cost effective to run a water line than it would be to drill a well and put in a hand-pump.

## **18. COUNCIL DISCUSSION**

Peter Denmark announced that the council should find a better way of handling the lease transfers. Peter also mentioned that the Old Alaskan's Monument at the triangle is a piece of city infrastructure that is not maintained. There are a couple of citizens maintaining it who also purchase bronze plaques and flags for the monument. He asked fellow council members if it would be appropriate to reimburse these residents for the costs incurred.

There were further discussions regarding who should purchase the plaques, flags and who would maintain the monument. Peter Denmark added that there are no flags in the harbor area. Scott Korbe stated that there are flags available at the Public Works Building.

## **19. CITIZEN'S DISCUSSION**

Greg Clifford announced that the school will host its annual Old Fogies vs Students basketball game on Thursday.

## **20. COUNCIL AND ADMINISTRATION'S RESPONSE TO CITIZEN'S COMMENTS**

## **21. ADJOURNMENT**

**MOTION:** Dave Pinquoch moved to adjourn the meeting at 10:48 p.m.

**SECOND:** Debra Hicks

**VOTE:** Motion passed unanimously.

**ATTEST:**

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Jennifer Rogers  
City Clerk

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Daniel Blair  
Mayor



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**WHITTIER CITY COUNCIL  
SPECIAL MEETING  
TUESDAY, APRIL 11, 2017  
6:00 PM  
COUNCIL CHAMBERS  
P-12 BUILDING**

**MINUTES**

**1. CALL TO ORDER**

Mayor Daniel Blair called the meeting to order at 6:07 p.m.

**2. OPENING CEREMONY**

Mayor Daniel Blair led the Pledge of Allegiance.

**3. ROLL CALL**

**A. Council members present and establishing a quorum:** Debra Hicks, Dave Pinquoch, Dave Dickason Peter Denmark, Monty Irvin and Daniel Blair.

**B. Council Members Absent:** Victor Shen

**C. Administration Present:**

Kyle Sinclair, Harbormaster

Jennifer Rogers, City Clerk

Scott Korbe, Public Works Director

David Schofield, Director of Public Safety

John Li, Finance Officer

**Others Present:**

**4. APPROVAL OF REGULAR MEETING AGENDA**

**MOTION:** Dave Pinquoch made a motion to approve the special meeting agenda as written.

**SECOND:** Debra Hicks

**DISCUSSION:** None

**VOTE:** Motion passed unanimously

**5. CITIZEN COMMENTS ON AGENDA ITEMS NOT SCHEDULED FOR PUBLIC HEARING**

None

**6. PUBLIC HEARINGS**

None

## **7. SPECIAL MEETING BUSINESS ITEMS**

**Resolution #07-2017- A Resolution amending Resolution #37-2016 to increase the Maximum Principal Amount of the Harbor Revenue Bonds authorized by Resolution #37-2016 from \$2,000,000 to \$2,100,000, extend the Final Maturity Year of the bonds from 2025 to 2037, and increase the maximum True Interest Cost of the bonds from 4.0 percent to 4.5 percent.**

**MOTION:** Dave Pinquoch made a motion to adopt Resolution #07-2017.

**SECOND:** Peter Denmark

**DISCUSSION:** Monty Irvin asked, "This doesn't change anything else that's been codified, right? What the money can be used for, not dedicated funds." Vice-Mayor, David Pinquoch replied, "The funds are dedicated; the bond is specifically for the harbor." Mayor Dan Blair explained that this is a resolution amendment; it was passed, but the parameters were laid so narrow that the bond board has asked for amendments and a typo needed to be corrected.

The previous resolution listed the bond at eight years, and these are twenty year bonds. The bonds are going to be more expensive than anticipated. The first resolution limited it to nothing higher than 4.0 percent, and it looks like it's going to be 4.1 to 4.2 percent, with the new limit being 4.5 percent.

Monty asked if this will get us through Phase II. Harbormaster, Kyle Sinclair, answered that it will. Mark added that it will complete the phase currently being worked on. Peter asked what phase are we on. Mark replied that it's the \$2.5 million dollar piece that was approved a few months ago. The bid had been approved to Bellingham Marine and they're on site doing the job already.

David Pinquoch stated that it will complete B, C and X floats and the head walk for a total cost of \$2.5 million. Half a million was from Tier II and \$2 million from this bond.

Peter Denmark asked where the Tier II is coming from. Dave Pinquoch replied that the Tier II is from the State; it's a 4-1 match. Peter stated that he was surprised to hear at the last meeting that the City is pursuing a \$2.5 million bond and not \$4 million bond. Mayor Dan Blair explained that there were one or two other potential loans with a less interest rate charge.

Peter asked, "If those loans are not available or if we don't qualify, then we go back and increase the bond to double the bond?" Mayor Dan Blair replied, "The bonds have been positioned so that we can return for a second round, and the cost of doing that is around \$10,000, it's not relative to the potential gain and lower interest rate."

Peter asked if the \$2.5 million is enough for B, C and X and the head walk, then what is needed to complete the rest of the harbor. Dave Pinquoch answered that the next phase is to complete the rest of the docks and pilings. The current \$2.5 million covers B, C, and X floats and the head walk. To finish the harbor, which includes the pilings is about \$4.5 million. The pilings themselves will be about \$2.5 million.

Peter asked if there are any specific plans to begin that phase. Mayor Dan Blair answered that upon completion of Phase II, will qualify to apply for another Tier II grant. David Pinquoch added, "We're not committed, there's no schedule."

Peter voiced his concerns and stated that he didn't recall a conversation about reducing the bond from \$4 to \$2 million dollars. Mark replied that a resolution was passed.

Peter stated that he felt misinformed with the scope of this phase and the next phase. He then requested a financial plan for the harbor rebuild. Peter inquired how the harbor bond would be paid, then asked if the harbor enterprise fund would be used for the repayment of the bond.

Mark replied that it is set up to be paid out of the CVP funds; the decision was discussed and approved in open council meetings.

Peter stated, "So we have no CVP funds for the duration of the bond?" Mayor Dan Blair replied that the intent is to pay off the bond within ten years. Peter clarified his question by asking if the bonds will be paid off primarily by using CVP funds. Mayor Dan Blair replied in the negative.

Peter went on to say that he wants to see the payment plan. Dave Pinquoch replied, "We're not indebting the city, we're indebting the harbor enterprise fund. The harbor income can support this loan. Looking at the 2016 revenue, the harbor made about \$300,000. If nothing changes, other than standard cost increases, we're looking at \$275,000 next year. But yes, the harbor can support this."

Peter voiced that he asked for information two council meetings ago in conjunction with his request, for a breakdown of the Public Safety Building. In his opinion, the harbor numbers were not forthcoming. He stated that he doesn't have enough answers to offer a qualified vote.

Dave Pinquoch reminded Peter that \$2.5 million dollars have already been committed and it has to be paid back whether or not they approve the bond. Again, Peter stated that he doesn't feel that he has the information that he needs and asked for.

Monty Irvin stated that the harbor has to pay this back and should have enough money to do it because we don't have a Memorandum of Understanding (MOU) with Princess Cruises. This bond goes out twenty years and there's no guarantee that Princess Cruises will be here in twenty years. The harbor should be able to pay this debt.

Mayor Blair stated that the harbor is in better financial position today because of the progressive steps taken to improve the monetary functions of the harbor. The City is not committed to the \$4.5 million dollars.

Peter stated, "I am not even comfortable with the scope of the project; I don't know what Phase II is, I don't know all of the components of Phase III. I would generally never support mortgaging CVP funds well into the future. I'm out until I see it on paper."

Dave Pinquoch replied, "There was discussion about this in a sense that the bond could be supported by the harbor, but the CVP funds are like a bonus to pay it off early, not to guarantee it." Peter asked, "To pay it off early?" Dave Pinquoch replied in the affirmative. Peter again stated that he needs to see it on paper.

Dave Pinquoch asked Mark Lynch to together the information requested. Mark replied that he can put it together; he thought he provided it at the meeting last month when it was requested. He stated, "I thought I reiterated at the last meeting that it was \$2 million of bond money and \$500,000 of state grant money; that's the \$2.5 million dollar piece." He further added that they've had so many meetings about this and passed resolutions.

Mayor Dan Blair stated that the information Peter would like to see is a more definitive road map on the repayment of Phase II bond money.

Dave Pinquoch added, "There was a discussion when Andy was here about the ability of the harbor to pay and that's how we came up with the \$300,000 and then there were discussions specifically that the boat owners agreed to another ten percent increase if it would be specific to paying off this debt, not just to increase the fees. The harbor could support about \$390,000 in annual debt to pay off loans to the harbor; that discussion happened when Andy was here."

Peter stated, "Nothing comes out of Port & Harbor for this; this has all been determined between harbor masters overtime, anecdotally infused with assumptions. I'd like to see the plan on paper which includes the scope of the project, future planning, funding sources current and hopefully future. A nice job was done for that with the Public Safety Building, I don't see how it could be difficult here."

Mark replied that the information was provided at the last meeting.

**Peter Denmark left the meeting at 6:33 p.m.**

Mayor Dan Blair stated, "Peter's request is reasonable; to have a formula to pay off the \$2.5 million, how much of it is going to be components of CVP funds and that's based on an annual return of \$600,000 of CVP funds. Is forty percent of this bond payment, have it in writing and we, as a council, will decide on it."

For the purposes of getting ready for the bond, Mayor Blair asked fellow council members to put this to vote and we'll get the information and bring it to council and make a decision.

Dave Pinquoch added that he'd rather stock pile harbor reserves rather than paying 40-60 every year and then pay off the loan.

Mayor Dan Blair disclosed that there was an audit on the CVP funds and the only negative mark was that we had funds in the bank." Mayor Dan Blair asked the city manager to provide a financial layout for Phase II and III at the next council meeting.

**VOTE:** Motion passed 5-0

## **8. COUNCIL DISCUSSION**

Dave Pinquoch stated, "The basic income of the City is \$4.2 million and the harbor provides half of it, and boaters only get law enforcement and protections. Half of the economy is attributed to boaters. If there is a ten percent increase, the boaters want it dedicated to the debt, then potentially it will become the harbor replacement fund and it stays specific to the harbor instead of sending it to the head of the bay. The CVP funds should be used to pay off the debt faster, but we shouldn't assume CVP funds."

There was further discussion about the possible future use of the CVP funds.

## **9. CITIZEN DISCUSSION**

None

## **10. ADJOURNMENT**

All were in favor of adjourning the meeting at 6:50 p.m.

**ATTEST:**

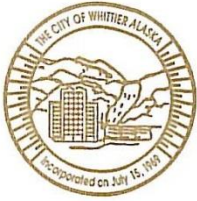
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Jennifer Rogers  
City Clerk

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Daniel Blair  
Mayor





# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

To: Mayor and Council  
From: Mark Lynch, City Manager  
Subject: Manager's report  
Date: April 12, 2017 (for 4/18/17 Council meeting)

**ARRC/DeLong Dock:** The City continues to work on a draft management agreement for the DeLong Dock. The RR has been in possession of the deed for a few weeks and yet they have not finalized the transfer. We are waiting on them to complete the transfer and schedule our next meeting to continue negotiations on the management agreement.

**Personnel:** We have narrowed the field of applicants for Assistant City Manager and will be scheduling in-person interviews soon. If a selection is made and an offer is accepted, we might have a person in place by June 1.

**Harbor:** The crew from BMI has been working on the initial portion of the next float replacement phase. The Travel-lift broke down and is currently being repaired. Once it is fixed the Harbor float work can begin.

**Harbor Loan:** Kyle has submitted the initial paperwork to see if we qualify for two loans through the state clean water fund. If so, we will move into the formal application process.

**Harbor Bonds:** There has been a lot of communication concerning the Bonds, including a notice from the City's bond attorney notifying me that some changes needed to be made to complete the bond transaction. A special council meeting was held on April 11<sup>th</sup> and a resolution was passed to meet the requirements of the bond sale.

**IRT (Innovative Readiness Training):** The IRT folks are still working on their schedule and staffing numbers. I have expressed concern that housing may start getting hard to obtain. I am currently waiting for additional information concerning their arrival and work dates.

**Tankfarm Property:** Mayor Blair and I had a teleconference with the Corps on April 7<sup>th</sup>. They told us they are waiting for final approval from the Department of Defense to proceed.

**Public Safety Building:** Progress can be monitored by going to the Whittier Alaska homepage and scrolling down to the link for the Public Safety Building. Phase II plans are complete and I circulated a "best we can do" floor plan to meet state requirements and allow the City the best use of the space.

**PS Building Water/Sewer Loan:** All pre-application materials have been approved. We are now in the formal application process. We are waiting for the loan people to do their financial review and we need a sign-off by the Alaska State Historic Preservation office. We are hoping to see some significant movement on this soon.



## **Whittier Community School**

To: Whittier City Council  
From: Melody Clifford  
CC: Mark Lynch  
Date: 4/12/2017  
Re: Whittier Community School Report to Council

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### **April**

- Teacher in-service April 20<sup>th</sup>-22<sup>nd</sup> – no school for students
- Finishing up state testing- April 24<sup>th</sup>-26<sup>th</sup>
- Alaska Wildlife Conservation Center field trip- April 27<sup>th</sup>

### **May**

- Educational Advisory Committee meeting- May 1<sup>st</sup>
- Ms. Erks class attending a play- May 3<sup>rd</sup>
- Make Whittier Prettier clean up day- May 4<sup>th</sup>
- Student led Trivia Night- May 4<sup>th</sup>
- Cultural Heritage Week in Tatitlek- May 7<sup>th</sup>-13<sup>th</sup>
- Travel club to Seattle- May 7<sup>th</sup>-13<sup>th</sup>
- Graduation/End-of-year-party- May 17<sup>th</sup>
- Last day of school May 24<sup>th</sup>

### **Ongoing events**

- Kids gym M/W/F (K-12th 3:30-4:30)
- Kids sports T/Th (K-3rd 3:30-4:30) (4-12th 4:30-5:30)
- Open gym Mondays and Wednesdays (16 and up 6-8pm)
- Open weight room Thursdays (16 and up 6-8pm)

### **Upcoming Community Events**

- Trivia night- student led- May 4<sup>th</sup>
  - Make Whittier Prettier clean up day- May 4<sup>th</sup>
  - Graduation/End-of-year-party- May 17<sup>th</sup>
-

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
01-310-4005 FISH TAX	.00	.00	30,000.00	30,000.00	.0
01-310-4006 MOTOR VEHICLE REGISTRATION	.00	.00	4,000.00	4,000.00	.0
01-310-4007 LIQUOR TAX	.00	.00	5,000.00	5,000.00	.0
01-310-4009 ELEC & TELE CO-OP TAX	.00	.00	3,200.00	3,200.00	.0
01-310-4200 SALES TAX	.00	1,293.85	550,000.00	548,706.15	.2
01-310-4201 PROPERTY TAX - REAL	.00	.00	380,000.00	380,000.00	.0
01-310-4202 PROPERTY TAX - PERSONAL	.00	.00	280,000.00	280,000.00	.0
01-310-4205 BUSINESS TRANSPORTATION TAX	.00	3,085.34	300,000.00	296,914.66	1.0
TOTAL TAXES	.00	4,379.19	1,552,200.00	1,547,820.81	.3
<u>LICENSES &amp; PERMITS</u>					
01-320-4250 BUSINESS LICENSES	200.00	2,725.00	3,500.00	775.00	77.9
01-320-4251 USER FEES & PERMITS	300.00	350.00	250.00	( 100.00)	140.0
01-320-4312 AMBULANCE FEES	2,059.57	9,534.02	40,000.00	30,465.98	23.8
TOTAL LICENSES & PERMITS	2,559.57	12,609.02	43,750.00	31,140.98	28.8
<u>INTERGOVERNMENTAL REVENUE</u>					
01-330-4002 STATE REVENUE SHARING	.00	.00	78,469.00	78,469.00	.0
01-330-4003 STATE PAY-IN-LIEU OF TAXES	.00	.00	46,000.00	46,000.00	.0
01-330-4011 EMS SMALL GRANT	.00	.00	2,500.00	2,500.00	.0
01-330-4025 NAT'L FOREST SERVICE RECEIPTS	.00	.00	30,000.00	30,000.00	.0
TOTAL INTERGOVERNMENTAL REVENUE	.00	.00	156,969.00	156,969.00	.0
<u>LEASES</u>					
01-345-4512 LEASE INCOME - ARRC AGREEMENT	.00	2,240.00	.00	( 2,240.00)	.0
01-345-4515 LEASE INCOME - CITY LAND	.00	21,183.50	125,000.00	103,816.50	17.0
01-345-4525 LAND USE RENT	.00	200.00	.00	( 200.00)	.0
TOTAL LEASES	.00	23,623.50	125,000.00	101,376.50	18.9
<u>FINES &amp; CITATIONS</u>					
01-350-4261 PSD FINES & CITATIONS	.00	72.00	4,000.00	3,928.00	1.8
01-350-4262 PSD PARKING TICKETS CIVIL	.00	50.00	.00	( 50.00)	.0
TOTAL FINES & CITATIONS	.00	122.00	4,000.00	3,878.00	3.1

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS</u>					
01-360-4099 MISCELLANEOUS REVENUE	227.25	850.00	5,000.00	4,150.00	17.0
01-360-4204 INTEREST & PENALTIES	.00	352.84	3,000.00	2,647.16	11.8
01-360-4271 DONATIONS - EMS/FIRE/POL	.00	.00	2,500.00	2,500.00	.0
01-360-4900 INTEREST ON BANK ACCOUNTS	.00	.00	15,000.00	15,000.00	.0
01-360-4902 INTEREST ON ESCROW ACCOUNTS	.00	.00	1,200.00	1,200.00	.0
01-360-4914 TRANSFIELD - TUNNEL CONTRAC	.00	.00	60,000.00	60,000.00	.0
01-360-4915 GIRDWOOD-POLICE CONTRACT	.00	345,238.35	618,000.00	272,761.65	55.9
TOTAL MISCELLANEOUS	227.25	346,441.19	704,700.00	358,258.81	49.2
TOTAL FUND REVENUE	2,786.82	387,174.90	2,586,619.00	2,199,444.10	15.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMIN</u>					
01-400-6000 SALARIES & WAGES	( 9,500.33)	35,723.31	244,968.00	209,244.69	14.6
01-400-6030 FICA TAXES	( 137.76)	562.19	3,552.00	2,989.81	15.8
01-400-6040 WORKER'S COMP.	.00	.00	1,360.00	1,360.00	.0
01-400-6050 ESC TAXES	( 179.55)	674.81	3,497.00	2,822.19	19.3
01-400-6060 HEALTH & LIFE INSURANCE	( 432.67)	6,209.67	40,260.00	34,050.33	15.4
01-400-6070 PERS RETIREMENT	1,645.72	9,886.17	53,893.00	44,006.83	18.3
01-400-6205 ADVERTISING	.00	.00	2,500.00	2,500.00	.0
01-400-6210 B.T.I. CONDO FEES	928.25	3,259.75	11,319.00	8,059.25	28.8
01-400-6212 CONDO MAINTENANCE	.00	.00	3,000.00	3,000.00	.0
01-400-6220 BANK SERVICES CHARGES	.00	.00	10,000.00	10,000.00	.0
01-400-6240 COMMUNITY SUPPORT-DONATIONS	.00	.00	500.00	500.00	.0
01-400-6280 DUES & SUBSCRIPTIONS	75.00	325.00	1,800.00	1,475.00	18.1
01-400-6410 INSURANCE - LIABILITY	.00 (	185.00)	2,299.00	2,484.00 (	8.1)
01-400-6440 INSURANCE - PROPERTY	.00	427.10	163.00 (	264.10)	262.0
01-400-6540 LICENSES & PERMITS	.00	.00	150.00	150.00	.0
01-400-6541 PENALTIES & FEES	.00	441.90	350.00 (	91.90)	126.3
01-400-6565 OUTSIDE CONTRACTORS	200.00	478.85	15,000.00	14,521.15	3.2
01-400-6570 PHYSICAL EXAMS & BACKGROUND CK	.00	96.00	250.00	154.00	38.4
01-400-6580 POSTAGE	.00	115.56	5,000.00	4,884.44	2.3
01-400-6600 PROF. FEES - AUDIT	.00	.00	39,000.00	39,000.00	.0
01-400-6610 PROF. FEES - ACCOUNTING	900.00	2,700.00	12,000.00	9,300.00	22.5
01-400-6620 PROF. FEES - APPRAISAL	.00	.00	15,000.00	15,000.00	.0
01-400-6625 PROF. FEES - FINANCIAL SOFTWARE	3,725.00	11,175.00	45,000.00	33,825.00	24.8
01-400-6635 PROF. FEES - COMPUTER SUPPORT	.00	.00	15,000.00	15,000.00	.0
01-400-6636 PROF FEES - WEB SITE SUPPORT	.00	400.00	3,000.00	2,600.00	13.3
01-400-6645 PROF. FEES - GRANT ADM.	.00	.00	30,000.00	30,000.00	.0
01-400-6650 PROF. FEES - LEGAL	.00	13,144.12	150,000.00	136,855.88	8.8
01-400-6675 COMPREHENSIVE PLAN	.00	.00	20,000.00	20,000.00	.0
01-400-6770 TRAVEL, TRAINING & DEV.	79.20	725.81	23,000.00	22,274.19	3.2
01-400-7351 EQUIPMENT MAINT. AGREEMENTS	366.01	732.02	8,600.00	7,867.98	8.5
01-400-7450 REPAIRS-OFFICE EQUIPMENT	80.99	332.20	500.00	167.80	66.4
01-400-8550 SUPPLIES - OFFICE	.00	680.64	7,500.00	6,819.36	9.1
01-400-8750 SUPPLIES - PRINTING	.00	145.00	1,000.00	855.00	14.5
01-400-9000 UTILITIES - INTERNET	680.30	1,902.91	10,000.00	8,097.09	19.0
01-400-9070 UTILITIES - TELEPHONE	397.06	1,387.46	7,000.00	5,612.54	19.8
01-400-9100 MISCELLANEOUS EXPENSES	.00	265.94	2,000.00	1,734.06	13.3
01-400-9300 PROJECT DEVELOPMENT	.00	16,646.30	35,000.00	18,353.70	47.6
01-400-9900 INTERDEPARTMENT SUPPORT	.00	.00	( 164,528.00)	( 164,528.00)	.0
TOTAL ADMIN	( 1,172.78)	108,252.71	658,933.00	550,680.29	16.4

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COUNCIL</u>					
01-401-6240 CITY COUNCIL-COMMUNITY SUPPORT	.00	.00	3,000.00	3,000.00	.0
01-401-6280 DUES & SUBSCRIPTIONS	.00	.00	150.00	150.00	.0
01-401-6325 FIREWORKS	.00	.00	12,500.00	12,500.00	.0
01-401-6710 PUBLIC RELATIONS	.00	.00	250.00	250.00	.0
01-401-6770 TRAVEL, TRAINING & DEV.	429.48	1,873.48	10,000.00	8,126.52	18.7
01-401-6800 COUNCIL CHAMBER IMPROV	.00	.00	40,000.00	40,000.00	.0
01-401-8550 SUPPLIES - OFFICE	15.98	15.98	100.00	84.02	16.0
01-401-9070 UTILITIES - TELEPHONE	.00	.00	400.00	400.00	.0
01-401-9500 LOBBYIST FEES	12,500.00	36,250.00	108,000.00	71,750.00	33.6
TOTAL COUNCIL	12,945.46	38,139.46	174,400.00	136,260.54	21.9
<u>COMMISSION</u>					
01-402-6000 SALARIES & WAGES	.00	519.10	.00 (	519.10)	.0
01-402-6030 FICA TAXES	.00	7.14	.00 (	7.14)	.0
01-402-6050 ESC TAXES	.00	9.43	.00 (	9.43)	.0
01-402-6060 HEALTH & LIFE INSURANCE	.00	13.96	.00 (	13.96)	.0
01-402-6070 PERS RETIREMENT	.00	114.53	.00 (	114.53)	.0
TOTAL COMMISSION	.00	664.16	.00 (	664.16)	.0
<u>ELECTIONS</u>					
01-420-6100 VOLUNTEER SUPPORT	.00	.00	1,200.00	1,200.00	.0
01-420-6205 ADVERTISING	.00	.00	600.00	600.00	.0
TOTAL ELECTIONS	.00	.00	1,800.00	1,800.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY</u>					
01-510-6000 SALARIES & WAGES	14,657.28	73,313.69	589,790.00	516,476.31	12.4
01-510-6030 FICA TAXES	212.52	1,656.98	9,816.00	8,159.02	16.9
01-510-6040 WORKER'S COMP.	.00	.00	29,978.00	29,978.00	.0
01-510-6050 ESC TAXES	277.03	1,386.05	12,037.00	10,650.95	11.5
01-510-6060 HEALTH & LIFE INSURANCE	.00	10,270.11	137,340.00	127,069.89	7.5
01-510-6070 PERS RETIREMENT	3,224.65	12,288.86	130,126.00	117,837.14	9.4
01-510-6091 UNIFORM ALLOWANCE	.00	331.00	4,600.00	4,269.00	7.2
01-510-6100 VOLUNTEER SUPPORT	.00	.00	1,500.00	1,500.00	.0
01-510-6205 ADVERTISING	.00	.00	250.00	250.00	.0
01-510-6210 B.T.I. CONDO FEES	165.65	3,046.95	2,500.00	( 546.95)	121.9
01-510-6280 DUES & SUBSCRIPTIONS	.00	.00	200.00	200.00	.0
01-510-6410 INSURANCE - LIABILITY	.00	.00	8,000.00	8,000.00	.0
01-510-6420 INSURANCE - AUTO	.00	.00	15,000.00	15,000.00	.0
01-510-6440 INSURANCE - PROPERTY	.00	747.43	1,637.00	889.57	45.7
01-510-6490 POLICE-INSURANCE CLAIMS-DEDUCT	.00	.00	15,000.00	15,000.00	.0
01-510-6540 LICENSES & PERMITS	.00	10.00	200.00	190.00	5.0
01-510-6565 OUTSIDE CONTRACTORS	.00	.00	1,500.00	1,500.00	.0
01-510-6570 PHYSICAL EXAMS	48.00	48.00	3,400.00	3,352.00	1.4
01-510-6580 POSTAGE	.00	.49	400.00	399.51	.1
01-510-6700 PUBLICATIONS & SUBSCRIPTIONS	.00	.00	2,000.00	2,000.00	.0
01-510-6735 EQUIPMENT PURCHASE	.00	4,917.36	14,000.00	9,082.64	35.1
01-510-6761 TRAINING - EMS SUPVSG MD	.00	1,000.00	12,000.00	11,000.00	8.3
01-510-6770 TRAVEL, TRAINING & DEV.	1,000.00	1,157.91	16,000.00	14,842.09	7.2
01-510-7100 BUILDING MAINT.	.00	481.92	1,500.00	1,018.08	32.1
01-510-7150 REPAIRS - COMMUNICATION EQUIPM	.00	.00	3,600.00	3,600.00	.0
01-510-7200 REPAIRS-COMPUTER SYSTEM	.00	160.63	1,000.00	839.37	16.1
01-510-7350 REPAIRS - EQUIPMENT	.00	25.99	5,000.00	4,974.01	.5
01-510-7400 REPAIRS - VEHICLES	300.00	6,811.51	30,000.00	23,188.49	22.7
01-510-7750 GAS & OIL - VEHICLES	.00	5,444.12	32,000.00	26,555.88	17.0
01-510-8020 SUPPLIES - AMMUNITION	.00	.00	2,500.00	2,500.00	.0
01-510-8100 SUPPLIES - COMPUTERS	.00	.00	1,500.00	1,500.00	.0
01-510-8150 SUPPLIES - CONSUMABLE	.00	2,856.50	5,000.00	2,143.50	57.1
01-510-8200 SUPPLIES - COPIER	.00	.00	1,200.00	1,200.00	.0
01-510-8550 SUPPLIES - OFFICE	.00	292.66	4,000.00	3,707.34	7.3
01-510-8650 SUPPLIES & DRUGS BILLABLE	.00	4.92	4,800.00	4,795.08	.1
01-510-8950 SUPPLIES - UNIFORMS	.00	660.03	12,000.00	11,339.97	5.5
01-510-9000 UTILITIES - INTERNET	1,011.36	16,367.99	21,000.00	4,632.01	77.9
01-510-9010 UTILITIES - ELECTRICITY	304.67	840.29	3,200.00	2,359.71	26.3
01-510-9040 UTILITIES - HEATING FUELS	914.19	3,205.88	6,400.00	3,194.12	50.1
01-510-9070 UTILITIES - TELEPHONE	655.90	2,087.42	18,000.00	15,912.58	11.6
01-510-9200 GRANT EXPENDITURES	.00	.00	2,000.00	2,000.00	.0
01-510-9520 CAPITAL OUTLAY - EQUIPMENT	.00	8,645.00	78,833.00	70,188.00	11.0
 TOTAL PUBLIC SAFETY	 22,771.25	 158,059.69	 1,240,807.00	 1,082,747.31	 12.7

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EMS</u>					
01-530-7750 GAS & OIL - VEHICLES	.00	489.39	.00 (	489.39)	.0
01-530-9070 UTILITIES - TELEPHONE	57.52	172.29	.00 (	172.29)	.0
TOTAL EMS	57.52	661.68	.00 (	661.68)	.0
<u>CLINIC</u>					
01-535-6210 B.T.I. CONDO FEE	909.07	2,727.21	11,683.00	8,955.79	23.3
01-535-6211 RENTAL UNIT	.00	.00	1,000.00	1,000.00	.0
01-535-6440 INSURANCE - PROPERTY	.00	320.32	99.00 (	221.32)	323.6
01-535-9100 MISCELLANEOUS EXP	.00	.00	9,000.00	9,000.00	.0
TOTAL CLINIC	909.07	3,047.53	21,782.00	18,734.47	14.0
<u>PUBLIC WORKS</u>					
01-600-6000 SALARIES & WAGES	7,490.03	33,681.69	256,665.00	222,983.31	13.1
01-600-6030 FICA TAXES	108.61	488.31	3,739.00	3,250.69	13.1
01-600-6040 WORKER'S COMP.	.00	.00	10,887.00	10,887.00	.0
01-600-6050 ESC TAXES	141.58	636.58	5,036.00	4,399.42	12.6
01-600-6060 HEALTH & LIFE INSURANCE	.00	7,033.36	38,430.00	31,396.64	18.3
01-600-6070 PERS RETIREMENT	1,647.83	7,409.87	45,886.00	38,476.13	16.2
01-600-6410 INSURANCE - LIABILITY	.00	.00	2,408.00	2,408.00	.0
01-600-6420 INSURANCE - AUTO	.00	.00	2,839.00	2,839.00	.0
01-600-6430 INSURANCE EQUIPMENT	.00	.00	3,334.00	3,334.00	.0
01-600-6440 INSURANCE - PROPERTY	.00	640.65	1,690.00	1,049.35	37.9
01-600-6490 INSURANCE CLAIMS-DEDUCTIBLES	.00	.00	5,000.00	5,000.00	.0
01-600-6540 LICENSES & FEES	.00	.00	250.00	250.00	.0
01-600-6565 OUTSIDE CONTRACTORS	.00	.00	10,000.00	10,000.00	.0
01-600-6570 PHYSICAL EXAMS	.00	.00	500.00	500.00	.0
01-600-6580 POSTAGE	.00	12.92	.00 (	12.92)	.0
01-600-6740 SMALL TOOLS	70.17	70.17	1,500.00	1,429.83	4.7
01-600-6770 TRAVEL, TRAINING & DEV.	.00	.00	2,000.00	2,000.00	.0
01-600-7100 REPAIRS - BUILDINGS	758.65	758.65	5,000.00	4,241.35	15.2
01-600-7210 REPAIRS - ROADS	.00	.00	15,000.00	15,000.00	.0
01-600-7350 REPAIRS - EQUIPMENT	227.92	1,908.42	30,000.00	28,091.58	6.4
01-600-7750 GAS & OIL - VEHICLES	.00	6,181.45	30,000.00	23,818.55	20.6
01-600-8550 SUPPLIES - OFFICE	.00	.00	500.00	500.00	.0
01-600-8950 SUPPLIES - UNIFORMS	.00	.00	1,220.00	1,220.00	.0
01-600-8970 SUPPLIES - SAFETY	.00	.00	2,000.00	2,000.00	.0
01-600-8995 SUPPLIES & MATERIALS	.00	.00	15,000.00	15,000.00	.0
01-600-9000 UTILITIES - INTERNET	368.35	858.62	5,938.00	5,079.38	14.5
01-600-9010 UTILITIES - ELECTRICITY	2,389.13	6,887.52	31,500.00	24,612.48	21.9
01-600-9040 UTILITIES - HEATING FUEL	4,113.84	12,329.75	35,000.00	22,670.25	35.2
01-600-9070 UTILITIES - TELEPHONE	57.52	424.87	2,500.00	2,075.13	17.0
01-600-9095 UTILITIES - WATER/SEWER	.00	.00	8,000.00	8,000.00	.0
TOTAL PUBLIC WORKS	17,373.63	79,322.83	571,822.00	492,499.17	13.9



CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

GENERAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>PROPERTY &amp; FACILITIES</u>					
01-700-6210	B.T.I. CONDO FEES	854.87	1,809.75	5,669.00	3,859.25	31.9
01-700-6215	CONDO MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
01-700-7100	REPAIRS - BUILDINGS	.00	.00	5,000.00	5,000.00	.0
01-700-9000	UTILITIES - INTERNET SERVICE	122.00	366.00	2,000.00	1,634.00	18.3
	TOTAL PROPERTY & FACILITIES	976.87	2,175.75	13,669.00	11,493.25	15.9
	<u>GF ADMN CAPITAL OUTLAY</u>					
01-910-9530	CAPITOL OUTLAY - COMP	.00	.00	1,000.00	1,000.00	.0
	TOTAL GF ADMN CAPITAL OUTLAY	.00	.00	1,000.00	1,000.00	.0
	<u>TRANSFERS TO OTHER FUNDS</u>					
01-990-9991	TRANSFER TO F 14 EQUIP REP PW	.00	.00	50,000.00	50,000.00	.0
	TOTAL TRANSFERS TO OTHER FUNDS	.00	.00	50,000.00	50,000.00	.0
	TOTAL FUND EXPENDITURES	53,861.02	390,323.81	2,734,213.00	2,343,889.19	14.3
	NET REVENUE OVER EXPENDITURES	( 51,074.20)	( 3,148.91)	( 147,594.00)	( 144,445.09)	( 2.1)

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

CRUISE SHIP TAX

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>TAXES - REVENUE</u>					
20-310-4008	CRUISE SHIP TAX	620,340.00	620,340.00	.00	( 620,340.00)	.0
	TOTAL TAXES - REVENUE	620,340.00	620,340.00	.00	( 620,340.00)	.0
	TOTAL FUND REVENUE	620,340.00	620,340.00	.00	( 620,340.00)	.0
	NET REVENUE OVER EXPENDITURES	620,340.00	620,340.00	.00	( 620,340.00)	.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

RAILROAD STATION IMPROVEMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>GRANT REVENUE</u>					
22-330-4000	GRANT REVENUES 10-DC-032	.00	.00	261,571.00	261,571.00	.0
	TOTAL GRANT REVENUE	.00	.00	261,571.00	261,571.00	.0
	TOTAL FUND REVENUE	.00	.00	261,571.00	261,571.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

RAILROAD STATION IMPROVEMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>GRANT EXPENDITURES</u>					
22-900-9200	GRANT EXPENDITURES 10-DC-032	.00	1,500.00	261,571.00	260,071.00	.6
	TOTAL GRANT EXPENDITURES	.00	1,500.00	261,571.00	260,071.00	.6
	TOTAL FUND EXPENDITURES	.00	1,500.00	261,571.00	260,071.00	.6
	NET REVENUE OVER EXPENDITURES	.00	( 1,500.00)	.00	1,500.00	.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

COMMUNITY DEVELOPMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>GRANT REVENUES</u>					
24-330-4000	GRANT REVENUES 09-RR-022	.00	.00	24,165.00	24,165.00	.0
	TOTAL GRANT REVENUES	.00	.00	24,165.00	24,165.00	.0
	TOTAL FUND REVENUE	.00	.00	24,165.00	24,165.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

COMMUNITY DEVELOPMENT

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>GRANT EXPENDITURES</u>					
24-900-9200	GRANT EXPENDITURES 09-RR-022	.00	.00	24,166.00	24,166.00	.0
	TOTAL GRANT EXPENDITURES	.00	.00	24,166.00	24,166.00	.0
	TOTAL FUND EXPENDITURES	.00	.00	24,166.00	24,166.00	.0
	NET REVENUE OVER EXPENDITURES	.00	.00	( 1.00)	( 1.00)	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

PUBLIC WORKS/SAFETY COMPLEX

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL EXPENDITURES</u>					
29-600-9200 CAPITAL EXPENDITURES-PUBLIC WO	25,090.63	479,158.71	3,256,948.00	2,777,789.29	14.7
TOTAL CAPITAL EXPENDITURES	25,090.63	479,158.71	3,256,948.00	2,777,789.29	14.7
TOTAL FUND EXPENDITURES	25,090.63	479,158.71	3,256,948.00	2,777,789.29	14.7
NET REVENUE OVER EXPENDITURES	( 25,090.63)	( 479,158.71)	( 3,256,948.00)	( 2,777,789.29)	( 14.7)



CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

SHOTGUN COVE

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>STATE GRANT REVENUE</u>					
30-320-4064	GRANT REVENUE DCCED	.00	.00	504,794.00	504,794.00	.0
30-320-4070	GRANT REV PHS V 15-DC-160	.00	.00	1,940,600.00	1,940,600.00	.0
	TOTAL STATE GRANT REVENUE	.00	.00	2,445,394.00	2,445,394.00	.0
	TOTAL FUND REVENUE	.00	.00	2,445,394.00	2,445,394.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

SHOTGUN COVE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>STATE GRANT EXPENDITURES</u>					
30-820-6640 PROFESSIONAL FEES	.00	.00	1,951,875.00	1,951,875.00	.0
30-820-9204 GRANT EXP PHS IV 13-DC-508	.00	.00	504,794.00	504,794.00	.0
30-820-9542 GRANT EXP PHS V 15-DC-160	.00	.00	1,940,600.00	1,940,600.00	.0
TOTAL STATE GRANT EXPENDITURES	.00	.00	4,397,269.00	4,397,269.00	.0
TOTAL FUND EXPENDITURES	.00	.00	4,397,269.00	4,397,269.00	.0
NET REVENUE OVER EXPENDITURES	.00	.00	( 1,951,875.00)	( 1,951,875.00)	.0

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

WATER AND WASTEWATER

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>CHARGES FOR SERVICES</u>					
50-340-4300	WATER SERVICE CHARGES	5,503.11	18,160.10	190,000.00	171,839.90	9.6
50-340-4350	WASTE WATER SERVICE CHARGES	4,477.33	15,100.31	85,000.00	69,899.69	17.8
50-340-4500	ENTERPRISE-PERMIT FEES	.00	.00	100.00	100.00	.0
	TOTAL CHARGES FOR SERVICES	9,980.44	33,260.41	275,100.00	241,839.59	12.1
	<u>MISCELLANEOUS</u>					
50-360-4901	INTEREST ON BANK ACCOUNTS	.00	.00	4,000.00	4,000.00	.0
	TOTAL MISCELLANEOUS	.00	.00	4,000.00	4,000.00	.0
	TOTAL FUND REVENUE	9,980.44	33,260.41	279,100.00	245,839.59	11.9

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

WATER AND WASTEWATER

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER &amp; WASTE WATER OPERATING</u>					
50-800-6000 SALARIES & WAGES	3,169.21	18,205.53	98,659.00	80,453.47	18.5
50-800-6030 FICA TAXES	45.95	263.71	1,437.00	1,173.29	18.4
50-800-6040 WORKER'S COMP.	.00	.00	2,756.00	2,756.00	.0
50-800-6050 ESC TAXES	59.88	344.15	1,955.00	1,610.85	17.6
50-800-6060 HEALTH & LIFE INSURANCE	.00	2,698.53	15,750.00	13,051.47	17.1
50-800-6070 PERS RETIREMENT	697.22	3,998.43	21,705.00	17,706.57	18.4
50-800-6410 INSURANCE - LIABILITY	.00	.00	926.00	926.00	.0
50-800-6420 INSURANCE - AUTO	.00	.00	2,047.00	2,047.00	.0
50-800-6430 INSURANCE - EQUIP	.00	.00	202.00	202.00	.0
50-800-6440 INSURANCE - PROPERTY	.00	.00	2,673.00	2,673.00	.0
50-800-6490 INSURANCE - CLAIMS DEDUCTIBLE	.00	.00	5,000.00	5,000.00	.0
50-800-6540 LICENSES & PERMITS	150.00	805.00	1,400.00	595.00	57.5
50-800-6565 OUTSIDE CONTRACTORS	.00	.00	10,000.00	10,000.00	.0
50-800-6570 PHYSICAL EXAMS	.00	.00	500.00	500.00	.0
50-800-6580 POSTAGE	.00	.00	250.00	250.00	.0
50-800-6740 SMALL TOOLS	.00	.00	2,500.00	2,500.00	.0
50-800-6750 TESTING WATER/SEWER	.00	750.00	5,000.00	4,250.00	15.0
50-800-6770 TRAVEL, TRAINING & DEV.	.00	.00	5,000.00	5,000.00	.0
50-800-7100 REPAIRS - BUILDING	.00	.00	5,000.00	5,000.00	.0
50-800-7350 REPAIRS - EQUIPMENT	.00	.00	8,000.00	8,000.00	.0
50-800-7650 REPAIRS - SYSTEM	.00	.00	5,000.00	5,000.00	.0
50-800-7750 GAS & OIL - VEHICLES	.00	322.24	3,500.00	3,177.76	9.2
50-800-8550 SUPPLIES - OFFICE	.00	170.50	500.00	329.50	34.1
50-800-8950 UNIFORMS	.00	.00	380.00	380.00	.0
50-800-8970 SUPPLIES - SAFETY	.00	.00	2,500.00	2,500.00	.0
50-800-8995 SUPPLIES & MATERIALS	.00	4.95	4,000.00	3,995.05	.1
50-800-9010 UTILITIES - ELECTRICITY	747.00	2,172.76	32,250.00	30,077.24	6.7
50-800-9040 UTILITIES - HEATING FUEL	1,692.45	4,653.52	11,000.00	6,346.48	42.3
50-800-9070 UTILITIES - TELEPHONE	34.22	102.25	487.00	384.75	21.0
50-800-9900 INTERDEPARTMENT SUPPORT	.00	.00	27,910.00	27,910.00	.0
TOTAL WATER & WASTE WATER OPERATING	6,595.93	34,491.57	278,287.00	243,795.43	12.4
TOTAL FUND EXPENDITURES	6,595.93	34,491.57	278,287.00	243,795.43	12.4
NET REVENUE OVER EXPENDITURES	3,384.51	( 1,231.16)	813.00	2,044.16	(151.4)

CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

SMALL BOAT HARBOR

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
	<b><u>CHARGES FOR SERVICES</u></b>					
51-340-4251	USER FEES & PERMITS	0.00	0.00	75	75.00	0.0
51-340-4398	MOORAGE - TRANSIENT DAILY	1,933.80	7,769.30	0	(7,769.30)	0.0
51-340-4399	MOORAGE - TRANSIENT WINTER	1,284.00	4,702.60	0	(4,702.60)	0.0
51-340-4401	MOORAGE - PREFERENTIAL	11,418.86	529,049.33	550,000.00	20,950.67	96.2
	<b>Actual YTD PREFERENTIAL (Payments)</b>		<b>270,913.56</b>			
51-340-4402	MOORAGE - TRANSIENT	3,405.84	130,015.97	350,000.00	219,984.03	37.1
	<b>Actual YTD TRANSIENT (Payments)</b>		<b>54,425.77</b>			0.0
51-340-4403	BOAT LIFT FEES	0	539	10,000.00	9,461.00	5.4
51-340-4404	UTILITY FEES	7719.18	19894.42	60,000.00	40,105.58	33.2
51-340-4406	WHARFAGE FEES	1066.99	4514.09	10,000.00	5,485.91	45.1
51-340-4407	VESSEL TOW FEES	1743	5130	500	-4,630.00	1,026.0
51-340-4408	USED OIL COLLECTION F	0	5.6	1,200.00	1,194.40	0.5
51-340-4409	WAITING LIST FEES	250	-1000	17,000.00	18,000.00	(5.9)
51-340-4410	PUMP OUT FEES	0	150	1,000.00	850.00	15.0
51-340-4411	LAUNCH FEES	0	10	115,000.00	114,990.00	0.0
51-340-4412	SHOWERS	4	8	2,500.00	2,492.00	0.3
51-340-4413	GRID	0	88	1,000.00	912.00	8.8
51-340-4414	VESSEL MAINTENANCE	0	0	500	500.00	0.0
51-340-4415	DRY STORAGE FEES	1295.38	3654.99	3,000.00	-654.99	121.8
51-340-4416	PARKING - ANNUAL	0	3000	60,000.00	57,000.00	5.0
51-340-4426	PARKING DAILY	0	279	75,000.00	74,721.00	0.4
51-340-4445	MISC. SERVICES	0.00	2,200.00	1,000.00	-1,200.00	220.0
	<b>TOTAL CHARGES FOR SERVICES</b>	<b>30,121.05</b>	<b>710,010.30</b>	<b>1,257,775.00</b>	<b>547,764.70</b>	<b>56.4</b>
	<b><u>LEASES INCOME</u></b>					
51-345-4512	LEASE - ARRC NET OF RR SHARE	0.00	18,438.70	66,000.00	47,561.30	27.9
51-345-4515	LEASE - GARBAGE REVENUE	0	0	2,400.00	2,400.00	0.0
	<b>TOTAL LEASES INCOME</b>	<b>0.00</b>	<b>18,438.70</b>	<b>68,400.00</b>	<b>49,961.30</b>	<b>27.0</b>
	<b><u>OTHER REVENUE</u></b>					
51-360-4417	FUEL FLOAT INCOME	0.00	1,102.07	20,000.00	18,897.93	5.5
51-360-4430	CAMPING	0.00	0.00	11,000.00	11,000.00	0.0
51-360-4900	INTEREST & LATE FEES ON A/R	0.00	0.00	4,000.00	4,000.00	0.0
51-360-4901	INTEREST ON BANK ACCO	0.00	0.00	5,000.00	5,000.00	0.0
51-360-4910	MISCELLANEOUS INCOME	0.00	300.00	0	-300.00	0.0
	<b>TOTAL OTHER REVENUE</b>	<b>0.00</b>	<b>1,402.07</b>	<b>40,000.00</b>	<b>38,597.93</b>	<b>3.5</b>
	<b>TOTAL FUND REVENUE</b>	<b>30,121.05</b>	<b>729,851.07</b>	<b>1,366,175.00</b>	<b>636,323.93</b>	<b>53.4</b>

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>HARBOR OPERATIONS EXP</u>					
51-800-6000 SALARIES & WAGES	13,634.67	63,133.78	444,339.00	381,205.22	14.2
51-800-6030 FICA TAXES	267.21	1,583.32	11,299.00	9,715.68	14.0
51-800-6040 WORKER'S COMP.	.00	.00	11,968.00	11,968.00	.0
51-800-6050 ESC TAXES	257.70	1,193.40	9,577.00	8,383.60	12.5
51-800-6060 HEALTH & LIFE INSURANCE	.00	9,949.37	71,760.00	61,810.63	13.9
51-800-6070 PERS RETIREMENT	2,750.70	11,436.78	80,542.00	69,105.22	14.2
51-800-6205 ADVERTISING	.00	.00	1,500.00	1,500.00	.0
51-800-6215 COLLECTION EXPENSE	.00	.00	5,000.00	5,000.00	.0
51-800-6220 BANK SERVICE CHARGES	.00	.00	22,000.00	22,000.00	.0
51-800-6260 BAD DEBT EXPENSE	.00	.00	10,000.00	10,000.00	.0
51-800-6280 DUES & SUBSCRIPTIONS	75.00	75.00	500.00	425.00	15.0
51-800-6410 INSURANCE - LIABILITY	.00	.00	4,169.00	4,169.00	.0
51-800-6420 INSURANCE - AUTO	.00	.00	846.00	846.00	.0
51-800-6430 INSURANCE EQUIPMENT	.00	.00	332.00	332.00	.0
51-800-6440 INSURANCE - PROPERTY	.00	.00	19,031.00	19,031.00	.0
51-800-6490 INSURANCE CLAIMS-DEDU	.00	.00	5,000.00	5,000.00	.0
51-800-6540 ENTERPRISE-LICENSES & PERMITS	.00	91.07	250.00	158.93	36.4
51-800-6565 OUTSIDE CONTRACTORS	404.95	517.95	25,000.00	24,482.05	2.1
51-800-6570 PHYSICAL EXAMS	.00	48.00	500.00	452.00	9.6
51-800-6580 POSTAGE	.00	133.83	2,500.00	2,366.17	5.4
51-800-6635 PROF. FEES - COMPUTER SUPPORT	350.00	1,159.90	5,000.00	3,840.10	23.2
51-800-6636 PROF FEES - WEB SITE	.00	.00	2,500.00	2,500.00	.0
51-800-6650 PROF. FEES - LEGAL	.00	10,000.00	10,000.00	.00	100.0
51-800-6700 PUBLICATIONS&SUBS.	.00	.00	350.00	350.00	.0
51-800-6730 EQUIPMENT RENTAL	.00	.00	2,000.00	2,000.00	.0
51-800-6740 SMALL TOOLS	738.38	738.38	3,000.00	2,261.62	24.6
51-800-6770 TRAVEL, TRAINING & DEV.	.00	3,064.20	4,000.00	935.80	76.6
51-800-6780 WASTE DISPOSAL - EVOS	199.99	199.99	3,000.00	2,800.01	6.7
51-800-7100 REPAIRS - BUILDINGS	.00	1,290.72	2,500.00	1,209.28	51.6
51-800-7350 REPAIRS - EQUIPMENT	.00	15.00	12,000.00	11,985.00	.1
51-800-7400 REPAIRS - VEHICLES	.00	.00	2,000.00	2,000.00	.0
51-800-7500 PARKING LOT MAINTENANCE	.00	.00	1,500.00	1,500.00	.0
51-800-7610 REPAIRS - UTILITIES	.00	.00	6,000.00	6,000.00	.0
51-800-7620 REPAIRS - FLOATS	.00	126.07	.00	126.07)	.0
51-800-7750 GAS & OIL - VEHICLES	.00	512.26	4,000.00	3,487.74	12.8
51-800-7820 REPAIRS - DOCKS	.00	.00	7,000.00	7,000.00	.0
51-800-8150 SUPPLIES - CONSUMABLE	773.13	1,536.78	8,000.00	6,463.22	19.2
51-800-8200 SUPPLIES - PARKING	.00	.00	3,000.00	3,000.00	.0
51-800-8400 SUPPLIES - FIRE SUPPRESSION	.00	472.00	2,500.00	2,028.00	18.9
51-800-8550 SUPPLIES - OFFICE	3,070.40	3,309.29	6,000.00	2,690.71	55.2
51-800-8750 SUPPLIES - PRINTING	.00	70.00	1,500.00	1,430.00	4.7
51-800-8800 SUPPLIES - RESALE ITEMS	.00	.00	500.00	500.00	.0
51-800-8950 SUPPLIES - UNIFORMS	.00	.00	2,000.00	2,000.00	.0
51-800-8970 SUPPLIES - SAFETY	.00	1,557.49	2,000.00	442.51	77.9
51-800-9000 UTILITIES - INTERNET	425.73	1,098.76	7,000.00	5,901.24	15.7
51-800-9010 UTILITIES - ELECTRICITY	8,171.71	23,562.60	60,000.00	36,437.40	39.3
51-800-9040 UTILITIES - HEATING FUEL	523.23	1,453.85	4,500.00	3,046.15	32.3
51-800-9050 UTILITIES - SOLID WASTE	2,749.66	8,248.98	90,000.00	81,751.02	9.2
51-800-9070 UTILITIES - TELEPHONE	95.12	454.20	6,000.00	5,545.80	7.6
51-800-9095 UTILITIES - WATER/WASTEWATER	.00	.00	25,000.00	25,000.00	.0
51-800-9510 SNOW REMOVAL	.00	.00	35,000.00	35,000.00	.0
51-800-9900 INTERDEPARTMENT SUPPORT	.00	.00	136,618.00	136,618.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

SMALL BOAT HARBOR

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL HARBOR OPERATIONS EXP	34,487.58	147,032.97	1,180,581.00	1,033,548.03	12.5
CAPITAL OUTLAY - FROM RESERVE					
51-900-9520 CAPITAL OUTLAY - EQUIPMENT	.00	.00	10,000.00	10,000.00	.0
51-900-9530 CAPITOL OUTLAY - COMP	.00	.00	5,000.00	5,000.00	.0
51-900-9550 CAP EXP - FLOAT DOCK REPAIR	.00	.00	150,000.00	150,000.00	.0
TOTAL CAPITAL OUTLAY - FROM RESERVE	.00	.00	165,000.00	165,000.00	.0
TOTAL FUND EXPENDITURES	34,487.58	147,032.97	1,345,581.00	1,198,548.03	10.9
NET REVENUE OVER EXPENDITURES	( 4,366.53)	582,818.10	20,594.00	( 562,224.10)	2830.0



CITY OF WHITTIER  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

HARBOR RENOVATION C.I.P.

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>SOURCE 301</u>					
73-301-4000	GRANT REVENUES	.00	.00	500,000.00	500,000.00	.0
	TOTAL SOURCE 301	.00	.00	500,000.00	500,000.00	.0
	TOTAL FUND REVENUE	.00	.00	500,000.00	500,000.00	.0

CITY OF WHITTIER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 3 MONTHS ENDING MARCH 31, 2017

HARBOR RENOVATION C.I.P.

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
	<u>WHITTIER SBH RE PHASE II</u>					
73-901-9205	HARBOR RENOVATION	.00	244,950.00	.00	( 244,950.00)	.0
	TOTAL WHITTIER SBH RE PHASE II	.00	244,950.00	.00	( 244,950.00)	.0
	TOTAL FUND EXPENDITURES	.00	244,950.00	.00	( 244,950.00)	.0
	NET REVENUE OVER EXPENDITURES	.00	( 244,950.00)	500,000.00	744,950.00	( 49.0)

April 12, 2017

From: Harbormaster  
To: City Council  
CC: City Manager

Subj: Monthly Harbor Report

Administration:

- We are continuing to pursue past due accounts through small claims court.
- Boats relocated off C float, and dry storage vessels relocated to allow for BMI containment fence to stage new docks and parts for Harbor rebuild.
- All boat owners on B and C docks were contacted to assist in moving their vessels to a temporary Moorage during the rebuild.
- Summer Harbor Technicians were hired and are being trained for upcoming season

Harbor:

- Travel lift is down, awaiting new motor and hydraulic pump. Estimated repair cost is \$10,000
- Harbor Technicians have completed preparation for Demo of C dock, all wire and plumbing has been removed and is ready for BMI to begin Demo.
- Dock crane is fully operational, mono block is replaced and cost of repairs was \$1500

Meetings attended:

- Whittier Port & Harbor Commission
- Whittier fish and game regulation.
- Sportsman show



# THE CITY OF WHITTIER

Gateway to the Western Prince William Sound

P. O. Box 608 • Whittier, Alaska 99693 • (907) 472-2327 • Fax (907) 472-2404

## MEMORANDUM

---

To: Mark Lynch, City Manager

From: David M. Schofield, Director of Public Safety

Re: Monthly Public Safety Report

Date: 14 April 2017

### POLICE-Girdwood

Vehicle Theft	3	Disorderly Conduct	3
Vehicle Recovered	3	Failure to Stop	
Agency Assist	3	Citizen Assist	9
Criminal Trespass	2	Motorist Assist	8
REDDI/DUI	6	Domestic Disturbance	6
Misconduct with Weapons		Assault	2
Paper Service	3	SI/HI	5
Failure to provide registration	6	Speeding	22
Equipment Violation	13	Warrant Arrest	2
Residential Burglar Alarm	1	Noise Complaint	2
Criminal Mischief	4	Motor Vehicle Accident	2
Civil Standby	2	Welfare Check	5
Animal Complaint	1	Theft	8
Title 47	2	Corrected Citations	3
Wrong way in One Way	4	Minor Consuming	1
Misconduct with Controlled Substance			2
Failure to provide proof of insurance			3
Failure to obey traffic control device			7
Fraudulent use of Access Device			
Assist in obtaining Protective Order			2

**Police-Whittier**

Disorderly Conduct		Domestic Disturbance	1
Motorist Assist	7	Motor Vehicle Accident	1
Animal Complaint	2	Citizen assist	9
Theft		Criminal Trespass	2
Warrant Arrest	2	Vehicle on Tracks	1
Motor Vehicle Accident		Welfare Check	4
Noise Complaint	3		
Failure to Obey Traffic Control Device			3

**Police Seward Highway**

Motor Vehicle Accident	1	Agency Assist	4
Motorist Assist	3	Speeding	1

**Police Portage Highway**

Equipment Violation	3	Theft	1
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# Memorandum

To: Mark Lynch - City Manager  
From: Scott Korbe  
Subject: Monthly Public Works Report

Date: April 14, 2017

During the past month the Publics Works Department has been focused on the following:

## **Equipment**

- ▶ Travel Lift – Repair Gear Box
- ▶ WPD / EMS– Tire Change Over
- ▶ WPD / EMS – Seasonal inspection and oil services
- ▶ L150 – Alternator Repair

## **Sanitary Sewer**

- ▶ Monthly Testing

## **Water**

- Season turn on 10 each
- Monthly testing and reporting
- Annual Consumer Confidence Report

## **Roads**

- ▶ Seasonal sign installation
- ▶ Prep Whittier for summer tourist season
- ▶ Remove snow from season storage areas
- ▶ Remove snow and ice from harbor in preparation of Harbor Rebuild
- ▶ Open up drains and channel water to deal isolated flooding caused by snow melt and rain

## **Notes from the PW Director**

This month I have focused my attention on the following areas:

- ▶ Operate and Labor in the field to facilitate schedule for construction project.
- ▶ Whittier Harbor
  - Harbor Rebuild
    - Inspect Construction project
    - Travel Lift Breakdown
    - Removing snow in ice for the project
- ▶ Whittier Seafood
  - Facilitate access related to seasonal snow storage
  - Water Utility account transfere
- ▶ Whittier Monument
  - Snow removal
  - Work with ARMY Corp and Stone Mason for May 1 start
- ▶ Participated in the following meetings
  - Council Meeting
  - Staff Meetings
  - Planning and Zoning
    - Replatt Marston Brooks Property HOB
    - Joe Shen – Driveway Variance and Culvert Design

## Whittier Public Safety Facility Construction Report

Monthly Report: April 13, 2017

Prepared by: Terry Morrison

To: City Council

- 1st floor concrete is Complete, 2nd floor concrete to be poured 4/19 to 4/21
- 2nd floor plan is approved and 3rd floor plan is being finalized
- Interior framing is 98% on the first floor, elevator shaft and mechanical room have drywall
- Mechanical and Electrical rough-in is 80% on first floor (photo)
- Clinic design was completed in coordination with EAT representatives
- SR Bales replaced several exterior panels at the NW corner due to dents at panel surfaces (photo)
- Scheduled completion is July 31, 2017

Thanks,

Terry Morrison  
Alaska Project Services









# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 427-2327 • Fax (907) 472-2404

**PORT & HARBOR COMMISSION  
REGULAR MEETING  
Thursday, March 2, 2017  
Homeowners' Lounge, BTI Building  
6:00 pm**

**MINUTES**

**CALL TO ORDER**

Ed Hedges called the meeting to order at 6:02 pm.

**OPENING CEREMONY**

Ed Hedges led the Pledge of Allegiance.

**ROLL CALL**

Commission members present: Ed Hedges, Greg Clifford, Arnie Arneson, Dave Goldstein, and Brad VonWichman

**ABSENT MEMBERS**

Mark Mitchell

**ADMINISTRATION PRESENT**

Kyle Sinclair, Harbormaster

Mark Lynch, City Manager

Naelene Matsumiya, Office Assistant

**PUBLIC CITIZENS PRESENT**

John Li, Terry Morrison

**APPROVAL OF AGENDA**

**MOTION:** Dave Goldstein made a motion to approve the Regular Meeting Agenda of March 2, 2017 as is.

**SECOND:** Brad VonWichman

Ed Hedges: Yes, Arnie Arneson: Yes, Brad VonWhichman: Yes, Greg Clifford: Yes, Dave Goldstein: Yes.

**DISCUSSION:** None

**VOTE:** Unanimous

**APPROVAL OF MINUTES**

**MOTION:** Greg Clifford made a motion to approve the Port & Harbor Regular Meeting Minutes of November 3, 2016 as is.

**SECOND:** Dave Goldstein

Dave Goldstein: Yes, Arnie Arneson: Yes, Brad VonWichman: Yes, Greg Clifford: Yes, Ed Hedges: Yes

**DISCUSSION:** None

**VOTE:** Passed Unanimously

## **ADMINISTRATIVE REPORTS**

### **A. Harbormaster Report**

New Harbormaster, Kyle Sinclair, introduced himself to the Commission.

### **B. City Manager's Report**

None

## **CORRESPONDENCE**

None

## **UNFINISHED BUSINESS**

### **A. Harbor Policy & Procedure Review**

Ed Hedges asked Harbormaster, Kyle Sinclair, if he had seen the Harbor's Policy and Procedures handbook. Kyle stated that he has not seen any comments back from anyone about it. Dave Goldstein said that he had talked to Andy Dennis before he left and they went through the document and made some changes. He said the file is saved onto the computer. Kyle said he will print out the document with the changes. Kyle stated that the document needed grammatical corrections and Dave agreed, adding that the document was pretty old and it needed to be renewed. Dave and Kyle's conversation was made inaudible by technical difficulties with Arnie Arneson via the conference phone. Kyle said that he thinks some of the information that was taken out should be put back in. Kyle said that Andy had taken them out because they were redundant. Kyle said he will redo it.

Arnie Arneson disconnected and exited the meeting.

### **B. Annual Transients**

Ed Hedges asked Kyle if Andy wrote anything up for Annual Transients. He gave a brief description saying, there has been a little confusion whether you can transfer Annual Transient or not and stated that the Commission has been working on a paper trail for the procedure. Dave Goldstein stated that Andy may have done some work on it and it may be in the new document. Kyle said he'll take a look at it. Dave suggested that once it is finished, that Kyle email it to the Commission members and that way they can make comments on it when the time comes.

### **C. Moorage Agreements**

Nothing new to report.

## **NEW BUSINESS**

### **A. Plan for Harbor and Facilities at Head of the Bay**

Naelene Matsumiya stated that Mark Mitchell had requested this to be on the agenda, however, he was unable to attend the meeting due to a death in the family. Dave Goldstein said that he had a presentation for the Commission where the subject will be discussed.

### **B. Upcoming Rebuild for "B" and "C" Float**

Briefly discussed.

### **C. Ordinance #10-2016 Language Amendment**



Dave Goldstein stated that in the Ordinance that the Commission initially submitted there were no references to absences. He did not know where the reference came from. Ed Hedges commented that it must have come from an original Ordinance. Dave said that it didn't make a lot of sense since the Commission only meets four times out of the year. He read the sentence out loud, "*No member shall miss more than three consecutive regular meetings or three unexcused meetings.*" Not only does it not make sense, there are no consequences." He added. Dave stated that since it is an official document that will go into our records it should be more professional and the removal of the sentence will be the best thing for it.

**MOTION:** Dave Goldstein made a motion to recommend to the Council that they delete the sentence, "*No member shall miss more than three consecutive regular meetings or three unexcused meetings*"

**SECOND:** Brad VonWichman

**DISCUSSION:** None

**VOTE:** Unanimous

#### **D. Power Point Presentation led by Dave Goldstein**

Dave Goldstein told the Commission that the presentation brings up 4 different areas of concern: the Harbor and its physical issues, the projects happening at the Head of the Bay, issues with the Policy and Procedures, and the triangle piece.

Dave Goldstein gave a brief history about the Whittier Harbor's original design. He made comparisons between the Harbor then and now. He noted that boat sizes were increasing and more diverse boats were coming into our harbor and that in 2005, there were plans to modernize the Whittier Harbor to accommodate these boats. Dave Goldstein talked about the floats for the harbor back then and how they gradually began to change. "The big change," he added, "was the additional slips in the 36 and a demand for larger boats." Dave stated that in 2016, 63 slips were assigned and the wait-list had gone down. The oldest goes back to June of 2015, he noted. Dave continued to talk about the wait-list. "We now have wait-lists for each float," he said. Harbormaster, Kyle Sinclair, clarified by saying the Harbor doesn't have a wait lists for the floats; it's a wait list for different boat lengths. City Manager, Mark Lynch commented saying no matter what the boat size; the Harbor will assign that boat to a slip that will accommodate it. Mark Lynch stated that, ultimately, Council has made the final decision on how the harbor is going to be built. There was a long discussion about the floats and the wait-list.

Brad VonWichman asked how the harbor will be changing the reconfiguration. Mark Lynch stated that Bellingham Marine's progress is underway because the money has already been approved. Mark referenced a slide that Dave had displayed of a plan that was designed by PND. He clarified that under that specific plan, the Harbor would have to have been cleared out for an entire season and Council decided it was unacceptable. Mark Lynch explained the plan that Bellingham Marine came up with for the slips and fingers. He described it as the *Lego* system, meaning; they're able to be connected in various configurations. Mark concluded, "The final design plan builds the Harbor pretty much back to the original PND plan without having to shut it down."

City Manager, Mark Lynch, briefly explained the budget for the Harbor to the commission and the time frame as to when it will all be completed.

The topic changed to slip fees. Dave said he had a conversation with a Council member about revenue that generated from the Harbor from the slips. Dave discovered that smaller boat owners pay a lot more than owners of bigger boats. The Council member told him it was because small boats contribute more to the overall revenue. Dave collected some measurements and calculated the charges. He began to explain that some floats are used for a short period of time throughout the year but the people are paying more for it. He said that he had spoken to the Harbormaster in Homer and they had the same issue and they thought the same thing. In the end, they went through an exercise and initially they wanted to charge by square foot, but they were met with resistance from owners of larger boats. He told the Commission that Homer's Harbormaster eventually created The Graduated Fee. The Graduated Fee is meant for larger boats to pay more because they take up more space. Dave commented that this made sense to him. He said that the fee schedule in Homer seemed equitable and if

Whittier adopted it, it may bring in a little more money into the Harbor.

Dave began to talk about the plans at the Head of the Bay. He commented that the plan has changed a lot of times. Dave mentioned the three (3) proposals that Mark Earnest had come up with. Photos were displayed via projector. At the time, Council was unsure if the City had money for it. Chairman, Ed Hedges, replied that the first option was the option that City Council voted for and what the Corp. of Engineers are working on. Mark Lynch explained the differences of the plans and their estimated prices. He also explained where the turning basins and breakwaters were going to be for each option. He made his way to the board to demonstrate this for the Commission. While at the board, he pointed out where the Corp. is doing the dredging. He went on and described the prices for each option for the Commission once more and then explained the payment plan for option 1. There was a long discussion about the different project plans as Dave was unaware that Council had already voted for the first option. Dave asked Mark if money had already been spent for the first option. Ed Hedges told Dave that money *has* been spent and that the project is underway, adding, "There really isn't anything we could do about it anymore." Dave Goldstein disappointedly stated that the plan should have been put in front of the Port and Harbor Commission. Mark replied that option 1 was the option the City could afford and so Council went for it.

Dave Goldstein's last topic was about the triangle piece. He explained to Kyle that he was on the wait list for twenty (20) years and when he was finally assigned a slip; his boat was unable to fit into it because of the triangle piece. He tells the Commission that he's lost six ft. of useable space. Kyle Sinclair reassured Dave that he will talk to the Project Director of the reconfiguration about this problem. Kyle stated that he will try to resolve the problem and work with the Commission to figure out what to do. He commented that he didn't see it as a problem. Dave interjected saying it was a problem for him and many people on the wait list and for people with square hull boats. Ed reminded Dave that the problem cannot be solved tonight. Dave expressed his aggravation about plans for the Harbor being passed without input from the Port and Harbor Commission by concluding, "If they're going to continue to do this, we might as well just dissolve [The Port and Harbor Commission] this."

Greg Clifford then asked Kyle about the road leading to the launch ramp at Smitty's Cove; if it will be repaired and how long it will take if work was to be done. He justified that it wouldn't take a whole lot to make it more usable for the community. Kyle said he'd talk to, Public Works Director, Scott Korbe. Greg said that he had mentioned it to Scott and Councilman Dave Dickason. Greg understandingly stated that he is aware that nothing can be done right as of now because of the weather. Commission members continued to talk about future development plans for Smitty's Cove.

#### **CITIZENS COMMENTS**

None

#### **COMMISSION COMMENTS**

None

#### **NEXT MEETING ATTENDANCE PLANS:**

Next meeting date: Thursday, April 6, 2017.

#### **ADJOURNMENT**

**MOTION:** Brad Von Wichman made a motion to adjourn the meeting.

**SECOND:** Dave Goldstein

**DISCUSSION:** None

**VOTE:** Unanimous

Meeting adjourned at 7:49 pm

Attest:



Naelene Matsumiya  
Office Assistant



Ed Hedges  
Chair of Port & Harbor Commission



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

April 11, 2017

City of Whittier

Attn: Brenda Krol

VIA Email: [cityclerk@whittieralaska.gov](mailto:cityclerk@whittieralaska.gov)

License Type:	Restaurant Eating Place	License Number:	2502
Licensee:	Varly's Whittier Delights, LLC.		
Doing Business As:	Swiftwater Seafood Cafe		

☐ New Application

☒ Transfer of Ownership Application

☐ Transfer of Location Application

☐ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Jedediah Smith, Local Government Specialist

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



Alcohol and Marijuana Control Office

550 W 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

## Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

### What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

## Section 1 - Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Donald & Margaret Varlamovs	License #:	2502		
License Type:	Rest + Eating Place	Statutory Reference:			
Doing Business As:	Swiftwater Seafood Cafe				
Premises Address:	Lot 8 Triangle Lease Area				
City:	Whittier	State:	Alaska	ZIP:	99693
Local Governing Body:	City of Whittier				

### Transfer Type:

- ☒ Regular transfer  
☐ Transfer with security interest  
☐ Involuntary retransfer



OFFICE USE ONLY			
Complete Date:		Transaction #:	14498
Board Meeting Date:		License Years:	2016-17
Issue Date:		BRE:	SLS





Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### Section 2 – Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Varly's Whittier Delights, LLC				
Doing Business As:	Swiftwater Seafood Cafe				
Premises Address:	Lot 8, Triangle Lease Area				
City:	Whittier	State:	Alaska	ZIP:	99693
Community Council:	Whittier				

Mailing Address:	12010 Forelands Cir				
City:	Anchorage	State:	Alaska	ZIP:	99515

Designated Licensee:	Margaret Varlamos			
Contact Phone:	907 244 7391	Business Phone:	907 472 2550	
Contact Email:	insurance@AK.Net			

Seasonal License? ☒ Yes ☐ No If "Yes", write your six-month operating period: 4/15/15 – 10/15

### Section 3 – Premises Information

Premises to be licensed is:

☒ an existing facility ☐ a new building ☐ a proposed building



The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

--

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

--



Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.  
If more space is needed, please attach a separate sheet with the required information.  
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

### Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.  
If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Margaret Varlamos				
Title(s):	member owner	Phone:	907-244-7391	% Owned:	50
Address:	12010 Forelands Cir				
City:	Anchorage	State:	Alaska	ZIP:	99515



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

Entity Official:	Donald Varlamos				
Title(s):	member owner	Phone:	9072447392	% Owned:	50
Address:	12010 Forelands Cir				
City:	Anchorage	State:	Alaska	ZIP:	99515

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10037967	AK Formed Date:	4/25/14	Home State:	Alaska
Registered Agent:	Jana Weltzin	Agent's Phone:	6309131113		
Agent's Mailing Address:	3003 Minnesota Ave, Ste 201				
City:	Anchorage	State:	Alaska	ZIP:	99503

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒ ☐



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes

No ☒

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☐☒

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

### Section 7 – Authorization

Communication with AMCO staff:

Yes

No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☐☒

If "Yes", disclose the name of the individual and the reason for this authorization:





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

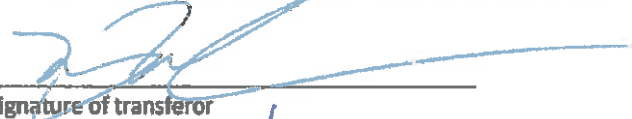
Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

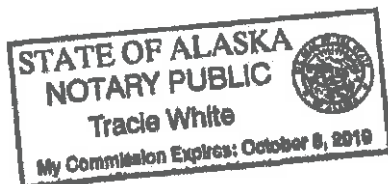
I declare under penalty of unsworn falsification that the undersigned represents a controlling interest of the current licensee.  
I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and to the best of my knowledge and belief find the information on this application to be true, correct, and complete.

  
Signature of transferor

Margaret Varlamov  
Printed name of transferor

Subscribed and sworn to before me this 6<sup>th</sup> day of December, 2016.

Tracie White  
Signature of Notary Public



Notary Public in and for the State of ALASKA

My commission expires: 10/8/2019

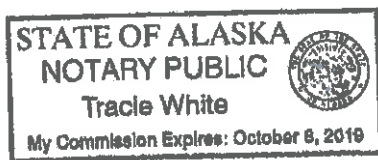


Donald C. Varlamov  
Signature of transferor

Donald Varlamov  
Printed name of transferor

Subscribed and sworn to before me this 6<sup>th</sup> day of December, 2016.

Tracie White  
Signature of Notary Public



Notary Public in and for the State of ALASKA

My commission expires: 10/8/2016



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

# Alaska Alcoholic Beverage Control Board

## Form AB-01: Transfer License Application

### Section 9 - Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

*[Signature]*

I certify that all proposed licensees have been listed with the Division of Corporations.

*[Signature]*

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

*[Signature]*

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

*[Signature]*

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

*[Signature]*

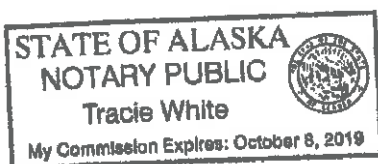
As an applicant for a liquor license, I declare under penalty of unsworn falsification that I have read and am familiar with AS 04 and 3 AAC 304, and that I have examined this application, including all accompanying schedules and statements, and to the best of my knowledge and belief find them to be true, correct, and complete.

Signature of transferee

*Margaret Vardamos*  
 Printed name



Subscribed and sworn to before me this 6 day of December, 2016



*Tracie White*

Signature of Notary Public

Notary Public in and for the State of ALASKA

My commission expires: 10/8/2019





Alcohol and Marijuana Control Office

550 W 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

[alcohol.licensing@alaska.gov](https://www.commerce.alaska.gov/web/amco)

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Phone: 907.269.0350

## Alaska Alcoholic Beverage Control Board

# Form AB-02: Premises Diagram

### What is this form?

A detailed diagram of the proposed licensed premises is required for all ~~license~~ license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and ~~must show all entrances and boundaries~~ of the premises, walls, bars, fixtures, and ~~areas~~ of storage, service, and consumption. If your proposed premises is ~~located~~ within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or ~~building~~ complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or ~~building~~ complex.

The ~~second page~~ of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

☒ ☐

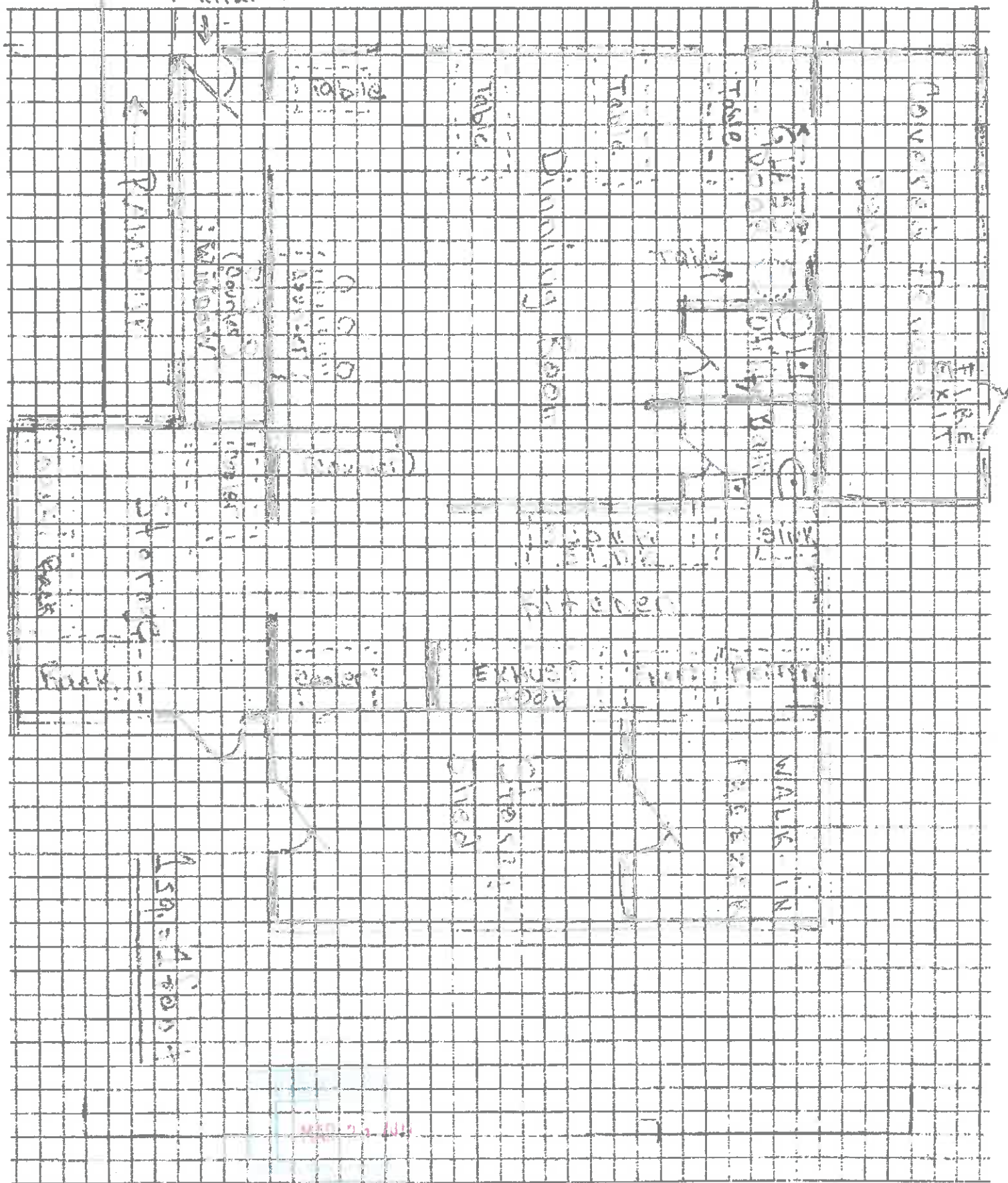


## Section 1 - Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Varly's Whittier Delights, LLC	License Number:	2502
License Type:	Restaurant + Eating Place		
Doing Business As:	Swiftwater Seaside Cafe		
Premises Address:	Lot 8 Triangle Lease Area		
City:	Whittier	State:	AK
		ZIP:	99693

Entrance Ramp Down →





STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
LICENSED PREMISES DIAGRAM

NAME: Scarfthor Scarfthor

PREMISES LOCATION: Whittier Harbor Triangle Lot #8

DATE RECEIVED: \_\_\_\_\_

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below, show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coffee, stages, etc.

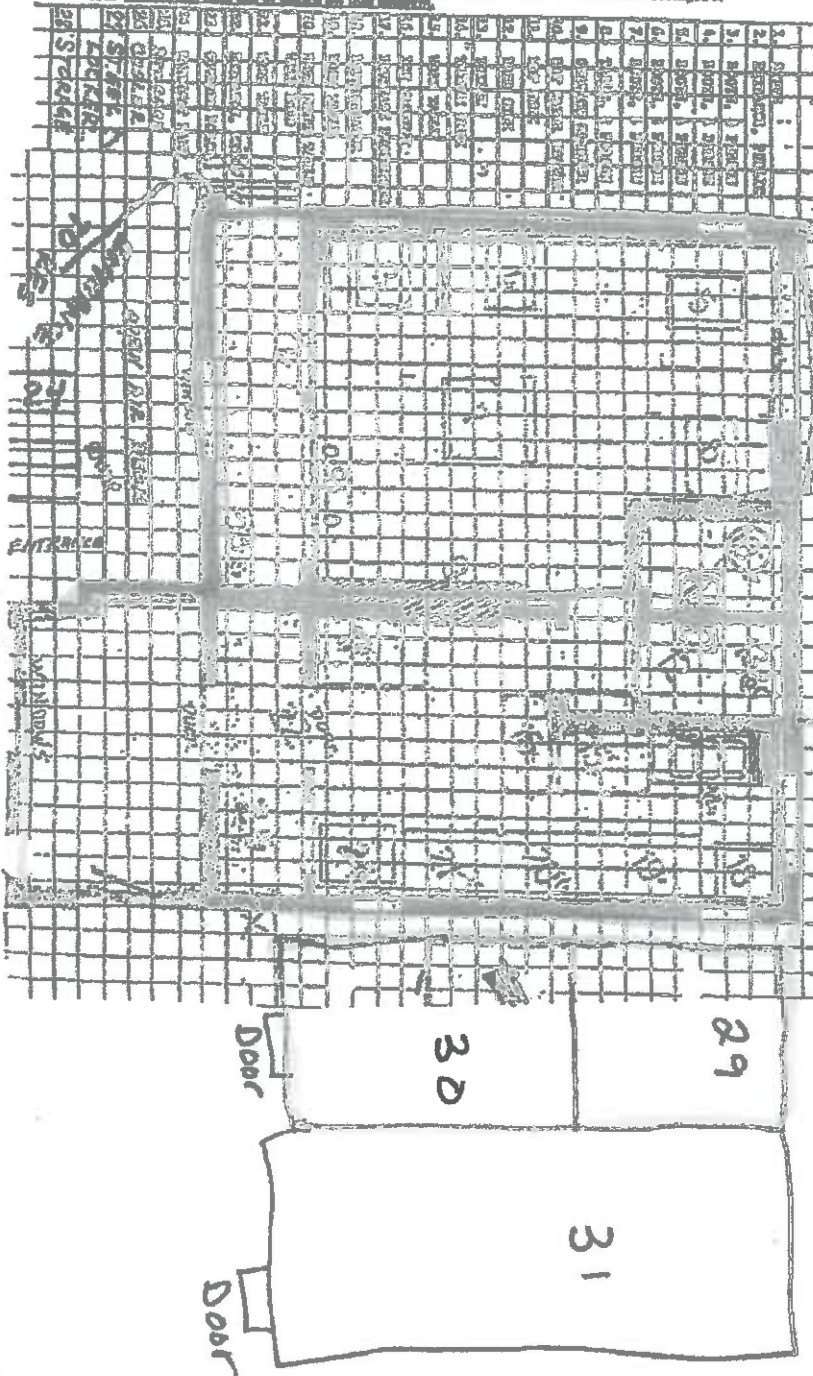
Indicate scale by 1/2 after appropriate statement or show length and width of premises.

SCALE A: 1/2 Square = 1 sq. ft.

SCALE B: 1 Square = 4 sq. ft.

Length and width of premises in feet: 28' x 32'

Outline the area to be designated for sale, service, storage and consumption of alcoholic beverages in red. Do not use blue ink or pencil on this diagram.



Varly's Whittier Delights, LLC

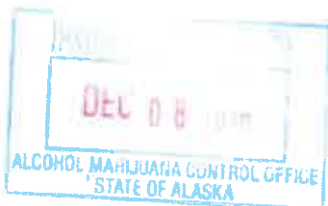
October 27, 2016

License # 2502

27 - gone  
28 - replaced

29 - walk in freezer  
30 - storage shed  
31 - living area  
exit only gate

32 - enclosed with  
6' fence  
exit only gate





## Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application****What is this form?**

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 – 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A detailed floor plan of the proposed designated and undesignated areas of the licensed business and a menu or expected menu listing the meals to be offered to patrons must accompany this form. Applicants should review AS 04.16.049 – AS 04.16.052 and 3 AAC 304.715 – 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

**Section 1 – Establishment Information**

Enter information for licensed establishment.

Licensee:	Varly's Whittier Delights, LLC				
License Type:	Restaurant & Eating Place	License Number:	2502		
Doing Business As:	Swiftwater Seafood Cafe				
Premises Address:	Lot 8 Triangle Lease Area				
City:	Whittier	State:	AK	ZIP:	99693

**Section 2 – Type of Designation Requested**

This application is for the request of the following designation(s) (check all that apply):

- ☒ Bona fide hotel, restaurant, or eating place: AS 04.11.100, 3 AAC 304.715 – 3 AAC 304.745
- ☒ Dining by persons 16 – 20 years of age: AS 04.16.049(a)(2)
- ☒ Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- ☐ Employment for persons 16 or 17 years of age: AS 04.16.049(c)
- ☐ Dining after standard closing hours: AS 04.16.010(c)



OFFICE USE ONLY				
Issue Date:		Transaction #:		BRE:



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
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<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 3 – Additional Information**

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

Daily Sunday through Saturday 11:30 Am - 9 pm

Are any forms of entertainment offered or available within the licensed business or on the proposed designated portions of the premises?

Yes ☐ No ☒

If "Yes", describe the entertainment offered or available:

RECEIVED  
DEC 08 2016  
ALCOHOL MARIJUANA CONTROL OFFICE  
STATE OF ALASKA

Food and beverage service offered or anticipated is:

☐ table service ☐ buffet service ☒ counter service ☐ other

If "other", describe the manner of food and beverage service offered or anticipated:

Is an owner, manager, or assistant manager 21 years of age or older always present on the premises during business hours?

Yes ☒ No ☐

Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the third page of this form.

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the third page of this form that meet the requirements of this form.

Yes ☒ No ☐

STATE OF ALASKA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
LICENSED PREMISES DIAGRAM

DIAL: Seaford

PREMISES LOCATION: Whittier

DATE RECEIVED: \_\_\_\_\_

Harbor Triangle Lot #8

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below, show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

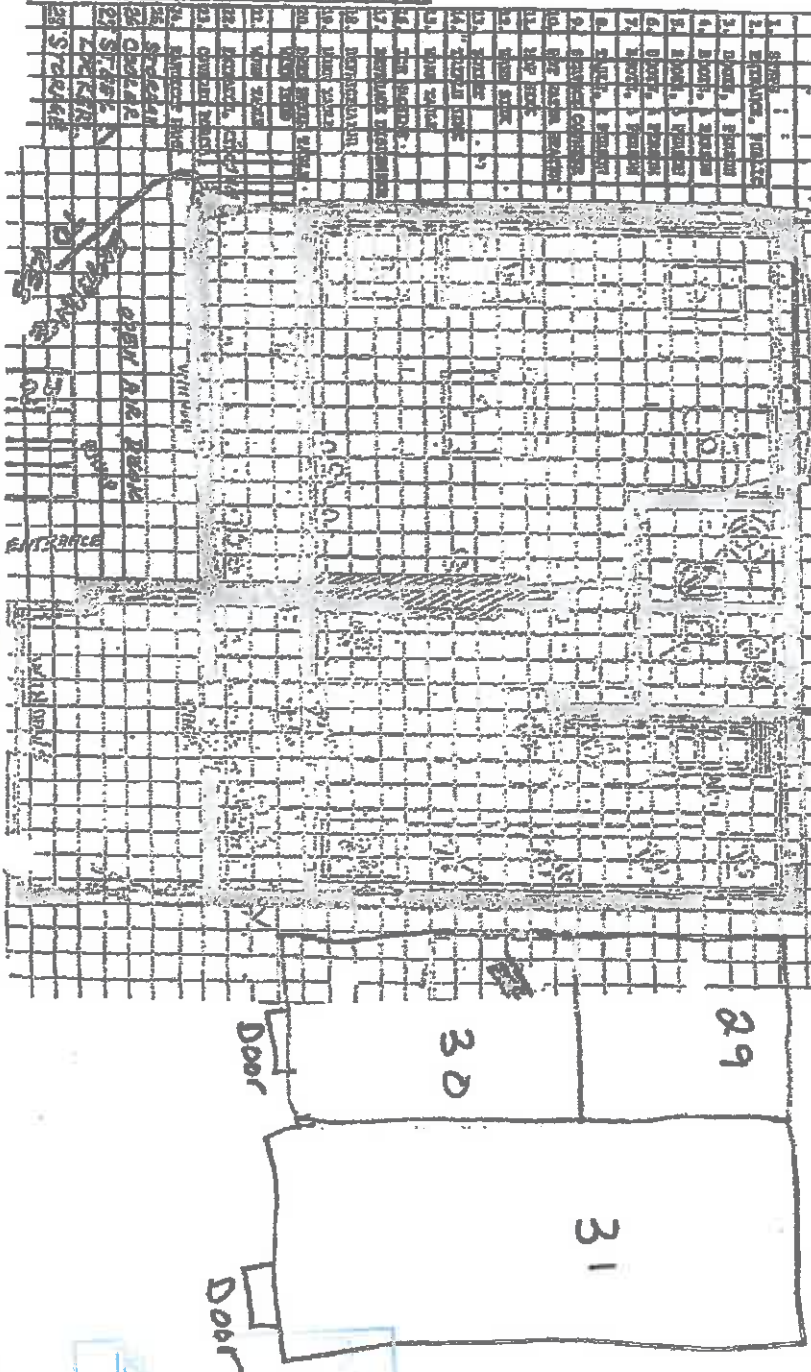
Indicate scale by X after appropriate statement or show length and width of premises.

SCALE A: X 1 Square = 1 sq. ft.

SCALE B: 1 Square = 4 sq. ft.

Length and width of premises in feet: 38' x 32'

Outline the area to be designated for sale, service, storage and consumption of alcoholic beverages in red. Do not use blue ink or pencil on this diagram.



License # 2502  
Varly's Whittier Delights, LLC  
October 27, 2016

27 - gone  
28 - replaced

29 - walk in freezer  
30 - storage shed  
31 - living area  
exit only gate

32 - enclosed with  
6' fence  
exit only gate





Alcohol and Marijuana Control Office

550 W 7<sup>th</sup> Avenue, Suite 1600

Anchorage, AK 99501

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-03: Restaurant Designation Permit Application

AMCO Enforcement Review:

Signature of AMCO Enforcement Supervisor

Printed name of AMCO Enforcement Supervisor

Enforcement Recommendations:

AMCO Director Review:

Approved

Disapproved

☐☐

Signature of AMCO Director

Printed name of AMCO Director

Date



Limitations:





Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-03: Restaurant Designation Permit Application

Section 5 – Certifications and Approvals

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I have included with this form a detailed floor plan of the proposed designated and undesignated areas of the licensed business.

86

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons.

86

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

86

I declare under penalty of perjury that I have examined this form, including all attachments and accompanying schedules and statements, and to the best of my knowledge and belief find it to be true, correct, and complete.

Signature of licensee

Signature of Notary Public

Margaret Varlamos  
Printed name of licensee

Notary Public in and for the State of

Alaska

My commission expires: 10/8/2019

Subscribed and sworn to before me this 6 day of December, 2016



Local Government Review (to be completed by an appropriate local government official):

Approved

Disapproved

☐☐

Signature of local government official

Date

Printed name of local government official

Title

## WHITTIER...

**"Unique Even To Alaska"**

### WHITTIER FACTS

Second Northernmost,  
ice free port  
on the Pacific Ocean

Whittier is positioned  
60.79 degrees north of the Equator  
and 148.65 degrees west of the prime  
meridian.

The distance from Whittier to Washington  
DC is 3604 miles.

The distance to the Alaska state capital  
is 565 miles  
(as the crows flies).

Precipitation: annual average rainfall is  
197 inches and  
241 inches snow.

2011-2012 Record snowfall, 44 feet

Population of Whittier as of the 2010 U.S.  
census was 220 people

### Tunnel Facts

Original break through:  
November 20, 1942 - for train use only

Length: 2.5 miles - longest highway  
tunnel in North America

Opened for vehicle traffic,  
June 7, 2000

### Our Motto

*"Quality, Quantity  
and Service"*



**Home of the left-handed halibut**

### OPEN

May 14, 2016 through  
September 9, 2016

### HOURS

11:30 am to 9:00 pm Sunday - Thursday  
11:30 am to 10:00 pm Friday and Saturday

[www.swiftwaterseafoodcafe.com](http://www.swiftwaterseafoodcafe.com)

CAFE: (907) 472-2550

Proprietors:  
Don & Margaret Varlamos

Manager:  
Taki Varlamos



**Whittier, Alaska**  
Est. 1997

2016 Season

**Fresh Hand Battered Seafood  
from Prince William Sound**

**Seafood & Spirits  
by the Seashore**

MAR 31 2016

## MENU

*Shrimp Basket .....	\$17.50
*1/2 Shrimp & 1/2 Fish or Halibut .....	\$19.50
*Halibut & Fries .....	\$19.50
*Halibut Sandwich .....	\$18.00
*Fish & Chips .....	\$15.50
*Fish Sandwich .....	\$14.00
*Calamari Steak Sandwich .....	\$12.50
1/2 lb. Cheeseburger .....	\$12.00
**Bacon Cheeseburger .....	\$14.00
Chicken Strip Sandwich .....	\$12.00
**Bacon, Chicken Ranch Sandwich .....	\$14.00
Chicken Strips (4 Strips) .....	\$13.00

Above items include fries or coleslaw or greek pasta salad

\*Hand battered per order \*\*3 Lg strips of bacon



## DELICIOUS HOMEMADE

	Cup 8 oz	Bowl 12 oz
Clam or Seafood Chowder .....	\$5.75	\$7.50
Lg Roll & Butter .....	\$1.25	
Cole Slaw .....	\$3.75	
Feta Pasta Salad .....	\$3.75	
Caesar Salad & Roll .....	\$11.00	
Add Halibut .....	\$8.50	
Add Chicken .....	\$6.50	

## APPETIZERS

1/2 lb. Peel & Eat Shrimp .....	\$12.00
Crab Cakes .....	\$12.00
Calamari Sticks .....	\$12.00
Zucchini .....	\$9.50
Lg Onion Rings .....	\$9.50

## HOMEMADE DESSERT

Rhubarb Crisp .....	\$6.50
Bread Pudding .....	\$6.00
comes with whip cream or,	
Add Ice Cream .....	\$3.00

## DRINKS

Carrot Cake .....	\$7.00
Soda 12 oz can .....	\$1.50
Coffee bottomless .....	\$1.50
Juice 10 oz bottle .....	\$2.00
Ice Tea 32 oz .....	\$3.00
Milk 12 oz .....	\$3.00
Floats .....	\$6.00



## WINES



Chardonnay .....	\$6.50
White Zinfandel .....	\$6.50
Merlot .....	\$6.50
Red Blend .....	\$6.50
Moscato .....	\$6.50
Cabernet Sauvignon .....	\$6.50
Wine by the bottle .....	\$22.00

*Over 30 Variety's!*

## BEER

*In a Can 12 oz..... \$4.75*

Budweiser  
Bud Light  
Miller Genuine Draft  
Miller Lite  
Coors Light  
Coors Non Alcoholic  
Guinness 16 oz .....



\$7.00

## Specialty and Imports

*In a Bottle..... \$5.75*

Alaskan Amber	Wild Blue
Alaskan White	Cayman Jack
Alaska Double IPA	Blue Moon
Alaska APA	Silver Gulch Pilsner
Oatmeal Stout	Black Butte Porter
Alaskan IPA	Mirror Pond Pale
Alaskan Summer	Hard Apple Cider
Kicker Session IPA	Becks
Imperial IPA	Pyramid Hefeweizen
Heineken	Stella
Mike's Hard	Rolling Rock
Corona	...and more

Ask about new beers for 2016



**CITY OF WHITTIER  
ORDINANCE #02-2017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, ALASKA,  
AMENDING CHAPTER 2.10 AUTHORIZING A HEARING OFFICER TO PRESIDE IN  
HEARINGS REGARDING VIOLATIONS OF CHAPTER 2.10 ENTITLED "CODE OF ETHICS"  
OF THE WHITTIER MUNICIPAL CODE, REPEALING THE BOARD OF ETHICS, AND  
UPDATING THE ADMINISTRATIVE HEARING PROCESS TO CREATE A MORE SIMPLE  
APPEAL PROCESS**

---

NOW, THEREFORE, The Whittier City Council ordains:

Section 1. Chapter 2.10, entitled "Code of ethics", is hereby amended to read as follows:

2.10.010 Short title.

This chapter shall be known as the "Ceode of Eethics."

2.10.020 Applicability.

This Ceode of Eethics shall apply to all elected officials of the City, all employees and appointed officers of the City, and all paid or unpaid members of boards and commissions of the City.

2.10.030 Construction.

This Ceode of Eethics shall be liberally construed in favor of protecting the public's interest in full disclosure of conflicts of interest and promoting ethical standards of conduct for City employees and officials.

2.10.040 Council voting.

- A. All members of the Council shall vote, unless ~~a council member~~someone has a direct or indirect financial interest in the motion. Council members shall disclose a financial interest in a motion before the Council votes on that motion.~~This shall be stated before the issue is voted upon.~~
- B. After a council member discloses a financial interest,~~t~~The Council shall determines by roll call vote if the council member's~~said person's~~ vote is a conflict of interest. If another council member or someone from the audience questions or challenges a member's vote, Council shall act upon this with a roll call vote excluding the questioned member from that vote.

2.10.050 Declaration of intent by officers.

A p~~Persons on any Council,~~ a board, commission or committee shall declare any services or goods he or she provides the City or any potential applications he or she intends to submit to the City to provide services or goods to the City in the future. For purposes of this section, "goods

[ADDED LANGUAGE BOLD AND UNDERLINED; DELETED LANGUAGE STRICKEN THROUGH]

and services” means goods or services provided in exchange for financial gain.~~their intent upon application for any positions to bid on or provide any service, which involves monetary or substantial personal gain with the City.~~

2.10.060 Records of payment to be public record.

All records of payment received from the City shall be a matter of public record.

2.10.070 Conflict of interest generally.

No elected or appointed City officer, official or employee shall intentionally engage in any act in conflict with the performance of his/her official duties and shall disqualify himself/herself from participating in any official action in which he/she has a substantial financial interest.

2.10.080 Filing of statements by nonsalaried officers.

Every nonsalaried elected or appointed City officer or official ~~of any City board, commission or committee shall,~~ upon assuming his or her duties, file with the ~~Board of Ethics~~ City Clerk a written statement ~~in writing~~ disclosing any direct or indirect interest in any firm, corporation, association or enterprise which by reason of such membership on a City board, committee, or commission, benefits him or her in a manner different from that available to the public generally. Every official or officer subject to this section shall supplement his or her written disclosure statement within ten days of acquiring or becoming aware of any interest subject to disclosure under this section, and shall thereafter upon acquiring or becoming aware of any such interest file a similar statement with the Board of Ethics.

2.10.090 ~~Board of Ethics — Created — Membership:~~

~~There is created a Board of Ethics consisting of three members who shall be the Mayor, or the Council member duly appointed as the designee of the Mayor, and two lay members of the public appointed by the Council, and two lay members of the public appointed by the Council to serve as alternate members. If the conduct of any of the members of the Board of Ethics is questioned the Council shall appoint a substitute member for the purpose of that investigation only.~~

2.10.095 ~~Appointment:~~

~~By February 1st of each year the City Council shall appoint two public citizens to the Board of Ethics and two public citizens to serve as alternate members to the Board of Ethics. The term of office of the public citizens shall be one year.~~

2.10.100 ~~Board of Ethics — Powers and duties:~~

~~The powers and duties of the Board of Ethics shall be as follows:~~

~~A. To establish administrative rules and procedures for the conduct of its business, to conduct preliminary investigations, to make reports to the Council, and to conduct such further hearings as provided for in WMC 2.10.110;~~

~~B. To make expenditures in accordance with the annual budget adopted by the Council and to utilize the services of such staff as may be made available to said board;~~

~~C. To consider questions as to ethical conduct, conflicts of interest, and the application of ethical standards set forth in this code, and upon the written request of any City officer or employee, or without such request if in the public interest, issue its advisory opinion in writing as to any such question;~~

~~D. To make recommendations to the Council for amendments to this code and for such other legislation affecting the subject matter of this code as said board may deem necessary or desirable;~~

~~E. To provide a continuing program of education, assistance, and information to City officers and employees with regard to ethical conduct.~~

~~All officers, employees, departments and agencies of the City shall make available to the Board of Ethics all books, papers, documents, information, and assistance requested by said board and pertinent or material to any inquiry or investigation being conducted by said board in the performance of its duties under this code.~~

#### **2.10.110 Board of Ethics — Conduct of hearings.**

~~Whenever a preliminary investigation has been made by the Board of Ethics in response to a written complaint, instructions from the Council, or on its own initiative, and a report of such investigation has been rendered to the Council, then the Council may authorize the Board of Ethics to conduct a formal hearing on the matter. In this event the Board of Ethics shall have the power to administer oaths and affirmations, examine witnesses, and compel attendance of persons, and production of documents, papers, books, accounts, letters, and records by subpoena. Any person summoned to appear before such board and give evidence shall have the right to be represented by counsel. Any person against whom a complaint or violation of ethical standards has been made or whose conduct is the subject of investigations by the board may demand and shall be entitled to a hearing, which is open to the public.~~

#### **2.10.111 complaint and response.**

**A. Any person may file a complaint with the Clerk alleging that a public official has violated this chapter. The complaint must:**

- 1. Be a written statement of the charge setting out in ordinary and precise language the acts or omissions with which the respondent is charged;**
- 2. Specify the subsection(s) of WMC 2.10 that the respondent is alleged to have violated; and**
- 3. Contain a notarized statement of verification providing that the information, statements, and allegations contained in the complaint are true to the best of the person filing the complaint's knowledge and belief.**

**B. A complaint alleging a violation must be filed within two years from the date the complainant(s) knew or should have known of the action alleged to be a violation, and no later than five years after the alleged violation occurred.**

- C. The clerk shall serve the respondent, who is the officer or official against whom the complaint is filed no more than two business days after accepting a complaint as sufficient under section 2.10.115 of this chapter.
- D. The respondent shall have thirty days to respond to the complaint. The response must:
  - 1. Expressly deny or admit to the specific allegations in the complaint; and
  - 2. Contain a notarized statement of verification providing that the information, statements, and allegations contained in the response are true to the best of the the person filing the response's knowledge and belief

#### 2.10.113 Confidentiality.

- A. Complaints filed under WMC 2.10 are confidential and may not be disclosed to any person except the city clerk.
- B. It is not a violation of this section for a person to contact or retain an attorney or to cooperate in a criminal investigation if one is proceeding.
- C. All proceedings and records shall remain confidential unless the respondent requests a public hearing or until the hearing officer files with the council its findings of fact and conclusions of law concerning the complaint.

#### 2.10.114 Initial screening

- A. Upon receipt of a complaint regarding a public official, the City Clerk shall screen the complaint and determine if the complaint:
  - 1. States with particularity a violation of this chapter; and
  - 2. The alleged violation occurred within the time period required under this chapter.
- B. If the complaint meets the requirements of subsection A, the City Clerk shall notify both the public official and the person filing the complaint that the complaint has been accepted and serve a copy of the complaint on the public official.
- C. The notice shall also specify that a response by the public official must be filed within 30 calendar days from the date of the Clerk's written notice. If the deadline falls on a weekend or full-day City holiday, then the notice shall be due on the next business day. The notice shall also inform the public official of the right to submit affidavits or other written evidence in support of the public official's response. Misrepresentation of a material fact in a response is a violation of this chapter. Failure to timely respond shall be considered an admission of the allegations in the complaint, and the Clerk shall notify the complainant and respondent the allegations of the complaint are deemed admitted.

- D. The respondent may appeal to the hearing officer any deemed admission of the allegations of the complaint, for good cause, by filing an appeal with the Clerk within 15 days after the date of notice of the deemed admission. The appeal must state all facts and legal grounds for failure to respond timely.
- E. If the City Clerk determines that the complaint is insufficient under this section, the Clerk shall make a written determination indicating the basis for this determination and shall distribute the determination to the public official and the complainant. The Clerk's determination is final. The complainant may appeal any dismissal by the Clerk to the superior court in accordance with the Alaska Rules of Appellate Procedure.
- F. If the City Clerk is the subject of the complaint, the complaint should be filed with the City Manager who shall perform the responsibilities of the Clerk for under this chapter.

#### 2.10.115 Hearing officer.

- A. If the City Clerk determines the complaint is sufficient, the Clerk shall send the complaint to the hearing officer selected by the city attorney. The hearing officer shall be a private attorney or an individual trained as an administrative hearing officer. The hearing officer shall not be an employee of the City of Whittier..
- B. The Clerk will furnish to the hearing officer the complaint and response, if any, or any appeal.
- C. The hearing officer shall schedule a hearing within ninety days after the date of the clerk's notice of sufficiency. The hearing officer may extend this deadline for good cause.

#### 2.10.118 Hearing notice.

- A. The Clerk shall serve on the complainant and the respondent a notice of hearing setting out the time and place of hearing and the schedule for any preliminary matters. This notice shall include a statement of the right to provide written evidence and oral testimony. The complainant and the respondent shall also be informed of the right to be represented at the hearing.
- B. The hearing officer shall determine if the complainant has proven by the preponderance of the evidence that the allegations in the complaint are true.
- C. If the respondent has failed to answer the allegations of the complaint or has admitted the allegations, the hearing officer shall prepare findings of fact and conclusions of law based on the written record.

#### 2.10.120 Advisory opinions.

Any official or employee may request an opinion from the ~~board~~-city attorney relating to any situation involving such official or employee, which may give rise to the possibility of conflict of interest under this code. Such requests shall be in writing, shall set forth the pertinent facts and shall be signed by the official or employee making the request, and shall, if requested by the officer

or employee, be held in confidence and no disclosure thereof shall be made except as provided herein.

**2.10.121 Service by mail and filing.**

- A. All motions or requests shall be served upon the opposing party. If service by mail is used, three days will be added for response time from the date of mailing. The party must certify the date mailed on the document. If the deadline falls on a weekend or holiday, the deadline shall fall on the next city business day.
- B. All documents shall be filed with the Clerk.

**2.10.122 Hearing.**

- A. All hearings shall be before the hearing officer who shall preside.
- B. The hearing officer may administer oaths, hold hearings, and take testimony. The hearing officer may, on their own or in response to a motion by a party to the hearing, request the presence of witnesses and the production of records, books, and papers at the hearing.
- C. The complainant and the respondent may each present opening statements setting out the matters they intend to prove. The complainant shall proceed first with his or her evidence and the respondent shall follow, setting forth his or her evidence. The complainant and the respondent may make closing arguments.
- D. The Alaska Rules of Evidence do not apply to the admission of evidence in a hearing, but the hearing officer's findings of fact must be based on reliable and relevant evidence.
- E. At the conclusion of the presentation of evidence and closing arguments, the hearing officer shall consider the allegations, the evidence supporting them, and the respondent's evidence.

**2.10.123 Findings of fact and conclusions of law.**

- A. The hearing officer shall enter findings of fact and conclusions of law no later than 30 days after the conclusion of the hearing. The hearing officer shall notify the parties and their attorneys if an extension is required to permit the preparation of findings of fact and conclusions of law.
- B. If the hearing officer finds that no violation has occurred, the complaint shall be dismissed. The Clerk shall serve the notice of dismissal on the complainant, the respondent, and attorneys. The notice of dismissal remains confidential.
- C. If the hearing officer finds that a violation of this chapter has been committed, the hearing officer shall prepare and submit its findings of fact and conclusions of law to the City Council.
- D. The findings of fact and conclusions of law are final and conclusive.



- E. If the hearing officer determines that no violation has occurred, or otherwise dismisses the complaint for substantive reasons, the hearing officer may award full or partial attorney fees to a public official who reasonably incurred those costs defending the complaint. This award may be made against the City only to the extent that the City Council has appropriated funds for that purpose.

**2.10.124 Appeal of findings of fact and conclusions of law and penalty.**

- A. If the hearing officer imposes a penalty with its decision, appeal of the findings of fact and conclusions of law and the penalty may be taken to the superior court in accordance with the Alaska Rules of Appellate Procedure.
- B. Notice of an appeal must be filed with the superior court within 30 days of the imposition of the penalty.

**2.10.130 Prohibited acts.**

- A. No City officer or employee shall engage in any act in conflict with the performance of his official duties and shall disqualify himself from participating in any official action in which he has a substantial financial interest.
- B. The following prohibited acts are deemed to be in conflict with the performance of an officer or employee's official duties. No officer or employee shall:
1. Fail to disclose that he possesses, directly or indirectly, a substantial or controlling interest in any corporation, firm, association or enterprise doing business with the City;
  2. Have a financial or other private interest in any legislation or other matter coming before the Council, and if a Councilman, fail to disclose such interest on the records of the Council or disqualify himself from voting on such matter by stating the nature and extent of such interest, or if an officer or employee, participate in discussion with or give an official opinion to the Council as to any such matter and fail to disclose such interest on the records of the Council;
  3. Receive or acquire any financial interest in any sale to or purchase from the City of any service or property with knowledge at the time of receiving or acquiring such interest that the City intends to purchase or sell such property or service;
  4. Accept any retainer, gift, or favor from any person, firm, corporation, association or enterprise having dealings with the City with the knowledge that such retainer, gift or favor is given with the intent to obtain special consideration as to any action by such officer or employee in his official capacity; provided, however, that any such officer or employee who is a candidate for public office may accept otherwise lawful campaign contributions and services in connection with any such campaign;
  5. Have a financial interest, whether personally or through immediate family or close relatives, in a firm, corporation, association or enterprise doing business with the City and influence or attempt to influence the selection of, or conduct of business with such firm, corporation, association or enterprise by the City;

6. Engage in or accept private employment or render service for private industry or other governmental entities which is incompatible with the proper discharge of official duties or impairs his independence of judgment or action in the performance of such official duties;
7. Appear on behalf of a private interest before any City agency, board or commission or represent a private interest in any action or proceeding against the interest of the City in any litigation to which the City is a party; provided, that this subsection shall not apply to:
  - a. Persons receiving no compensation from the City,
  - b. Any member of the Council appearing before governmental agencies on behalf of or as a representative of constituents in the course of his official duties or performing public or civic obligations without additional compensation therefor, or
  - c. Any officer or employee appearing on his own behalf or representing himself as to any matter in which he has a proprietary interest; provided such proprietary interest is fully disclosed and the officer or employee does not act or attempt to act in any official capacity with respect to such matter;
8. Use, request, or permit the use of City-owned vehicles, equipment, materials or property for personal use or profit unless such use is available to the public generally; provided, that this subsection shall not apply to the use of City-owned vehicles, equipment, materials or property provided to such officer or employee in accordance with municipal policy for the conduct of official City business;
9. As to any matter or proceeding coming before a City agency, board or commission of which he is a member, fail to disqualify himself from acting therein when such matter or proceeding involves any person who is or has been a client of his or his firm or partnership within the 12-month period immediately preceding the date of such action;
10. Disclose confidential information concerning the property, government, or affairs of the governmental body by which he is employed without proper legal authorization, or use such information to advance the financial or other private interest of himself or others;
11. Serve as a member of the City Council and have either (a) paid employment with the City other than payment for such Council membership or (b) a substantial or controlling interest in a corporation, firm, association or enterprise doing business with the City.
12. Simultaneously be a paid City employee and a candidate for election to the City Council or Mayor. Before a paid employee may file a petition for election, he or she must first terminate such employment with the City. This provision is not intended to prohibit payment by the City of a salary to the Mayor.



13. Be employed or serve in violation of WMC 2.24.132 or 2.32.705.

2.10.140 Failure to provide information.

It is unlawful for any person duly summoned to attend as a witness before the ~~Board of Ethics~~ **hearing officer** to fail or refuse, without lawful excuse, to attend pursuant to such summons, or to willfully refuse to be sworn or to affirm or to answer any material or proper question, or to produce, upon reasonable notice, any material or proper documents, papers, books, accounts, letters or records in his possession or under his control, or having been duly sworn to tell the truth, to knowingly give false testimony as to any material matter.

2.10.150 Cancellation of contracts.

Any contract between the City and another party shall be voidable or rescindable at the option of the Council at any time within a period of one year from the date of execution of such contract, if any officer or employee of the City has any interest in such contract and does not disclose such interest.

2.10.160 Violations by appointed officers – Penalty.

If the ~~Board of Ethics shall~~ **hearing officer** determines that any appointed City officer or employee has violated the ethical standards set forth in this code, ~~said board~~ **the hearing officer** shall deliver a copy of its written decision to the Mayor and Council and such City officer or employee who has violated the ethical standards together with the ~~board's~~ **hearing officer's** recommendation for disciplinary action. In addition to any other penalty herein or otherwise provided by law, violation of such ethical standards by a nonelected officer or employee shall be cause for suspension, discharge, or removal from office, or such other disciplinary action as the Council may determine.

2.10.170 Violations by elected officials and paid or unpaid members of boards and commissions – Penalty.

If the ~~Board of Ethics shall~~ **hearing officer** determines that an elected official or paid or unpaid member of a board or commission has violated the ethical standards as set forth in this code, ~~said board~~ **he or she** shall deliver a copy of its written recommendations to the Council ~~which may take such action as it is empowered to do by law, including but not limited to removal from office and censure action.~~

2.10.180 Violation – Reprimand and/or dismissal.

Any person in violation of this code shall be subject to censure, reprimand, and/or immediate dismissal from office, in addition to any other applicable penalty under law.

Section 3. Classification. This Ordinance is a permanent code ordinance.

Section 4. Effective Date. This ordinance shall take effect immediately upon adoption.

ENACTED this \_\_\_\_ day of \_\_\_\_\_ 2017.

ATTEST:

\_\_\_\_\_  
Jennifer Rogers  
City Clerk

\_\_\_\_\_  
Daniel Blair  
Mayor

**CITY OF WHITTIER  
RESOLUTION #09-2017**

**A RESOLUTION OF THE WHITTIER CITY COUNCIL SUPPORTING FUNDING DESIGNATED FOR THE DESIGN OF THE WHITTIER CITY PARK AND CREATION OF A DEVELOPMENT SCHEDULE.**

**WHEREAS**, the City of Whittier Parks and Recreation Master Plan includes development of a community park; and

**WHEREAS**, the City of Whittier would like to provide public parks and recreation opportunities for its citizens and visitors; and

**WHEREAS**, having an engineered design will demonstrate the city's commitment to developing a city park; and

**WHEREAS**, the City of Whittier owns land surrounding the Whittier core area and it has been zoned "Open Space," in which parks are a permitted use; and

**WHEREAS**, current city park facilities are located on leased lands; and

**WHEREAS**, parks and their facilities are known to enhance a community socially, environmentally, and economically; and

**WHEREAS**, there is no current design plan for a city park; and

**WHEREAS**, funding for the design is available via the city's current budget, KMTA grants, and the CVP; and

**WHEREAS**, the park design will feature built in longevity and efficient maintenance considerations.

**NOW, THEREFORE BE IT RESOLVED** that the City of Whittier will commit to design the city's park on city owned land and create a development schedule.

**PASSED AND ADOPTED** by the Whittier City Council this \_\_\_\_ day of \_\_\_, 2017

**Introduced By: Council Member Victor Shen**  
**Introduction Date: April 18, 2017**

**ATTEST:**

\_\_\_\_\_  
**Jennifer Rogers, City Clerk**

\_\_\_\_\_  
**Daniel Blair, Mayor**

Ayes:  
Abstain:  
Nays:  
Absent:



March 20, 2017

Dear City of Whittier Council Members

It has recently come to the attention of the Greater Whittier Chamber of Commerce (GWCC) of the prospect of the city moving forward with plans to develop the Head of the Bay with six launch ramps and parking. The GWCC is adamantly opposed to these plans. Please recognize you are proposing to move business from the business district.

There are some very important misconceptions surrounding this project.

First misconception– *the East Ramp is too congested*. There are a few hours a week (weekends and holidays) when there is a back log of boats to launch and retrieve. This is not a constant problem. This issue can absolutely be solved by providing shuttles to and from the parking area. It only gets backed up due to the amount of time it takes boaters to park and retrieve their vehicles/trailers. It is a minimum of 15-30 minutes for the average boater to park and WALK back.

Second misconception- *Trailer boaters do not use local services*. This is absolutely untrue. Any of the businesses in the harbor can tell you that business from boaters is essential. These customers are buying bags of ice, fishing equipment, coffee, ice cream, fudge, batteries, lunches, dinners... some of it incidentals - none of it insignificant. These sales support the town through sales tax.

Third misconception- *Building the launch ramps will bring more people to town*. Fixing the existing problem will bring more people to town. And keeping them in the business district will pay the city more not only launch fees, but sales tax from the businesses already in place. Absolutely, the boaters want better launch times. If the community works together to find a solution for a shuttle service and gets that information out to boaters, Whittier will benefit from the efforts.

The GWCC is adamantly opposed to using any funds from the current harbor to study or prepare the launch ramps. We believe the shuttle service can be provided at a much lower cost than new construction.

The GWCC is opposed to resources from the city going into new construction of a new facility to be managed when the city already has so many pressing issues maintaining the current infrastructure.

The GWCC would like to propose a special committee be organized, to research shuttle service options. The committee would be comprised of council members, GWCC members, transportation experts, and local boaters. Topics to be centered around ideas of private service, public services, grants, a business district assessments and other concepts. I, Kelly Bender, volunteer to organize the committee and am looking for a commitment from two council members to serve on this committee.

The development of a remote launch ramp would give no reason for those boaters to come into town. Businesses would lose sales and the city loses the sales tax revenue. In uncertain times, we should all be focusing on promoting our businesses not diverting traffic from them. The implication of this launch ramp is detrimental to the community.

Kelly Bender  
President  
Greater Whittier Chamber of Commerce



April 13, 2017

City Council  
City of Whittier  
Box 608  
Whittier, Alaska 99693

Honorable Council Members:

The Whittier Boat Owners Association (WBOA) recently learned that the Council allocated \$250,000 from the Harbor Enterprise Fund to be used for additional studies supporting new harbor construction at the head of Passage Canal. The WBOA understands the Council's desire to facilitate development at the head of Passage Canal. However, given the turnover in Council members, mayors, city managers and harbor masters throughout the years, it appears that the motivation and purpose behind the creation of the Harbor Enterprise Fund have been forgotten. That is not surprising given that it would be nearly impossible for any institutional memory to survive chronic Whittier turnover. It appears a little historical background is in order.

For many years, the WBOA was concerned by the steady deterioration of the harbor basin infrastructure amid the apparently endless and fruitless efforts to obtain funding to support a complete harbor rebuild and expansion. The WBOA determined that we could no longer stand by while the harbor deteriorated to unsafe levels. In response, we unanimously passed a resolution that asked the City of Whittier for a slip fee increase of 20%, with the condition that the fee increase would be placed in to a distinct account dedicated solely to the repair of harbor basin infrastructure. The fund was to be used only for infrastructure within the basin, not the harbor master office, toilet facilities, breakwaters, etc. We asked that the extra money generated by the requested slip fee increase be placed into a dedicated account which ultimately became the Harbor Enterprise Fund and is commonly referred to as the Harbor Reserve Fund. While the WBOA asked for a 20% fee increase which we considered that the minimum amount necessary to adequately address needed repairs, John Janik, the City Manager at the time, approached the Council for only a 9% increase which was approved. When we asked why a 9% increase was approved rather than 20% we requested, we were told, much to our puzzlement, that John decided that 9% was all that was needed.

We understand that the Council, City Manager and Harbor Master are all working diligently to approve conditions in the boat harbor and we strongly support those efforts. However, allocating money from the Harbor Enterprise Fund to support the construction of a new harbor at the head of Passage Canal is a step in the wrong direction. The Harbor Enterprise Fund's purpose is to maintain the Small Boat Harbor's infrastructure. Berth holders provided the money for that fund. While the WBOA realizes this action by the Council was not purposeful and was done in the absence of historical information, it is truly unfair to allocate money berth holders willingly contributed to the Harbor Enterprise Fund and use it to facilitate the construction of a new harbor which would provide no benefits to the berth holders that contributed the money.

Thanks largely to a terrific Council, significant progress has been made in the harbor the past couple of years. However, the poor condition of much of the harbor infrastructure remains a safety issue and significant liability for the City of Whittier. While there are ongoing improvements, much more work remains to be done. For these reasons, the WBOA strongly encourages the Council to restore the Harbor Enterprise Fund money mistakenly allocated to the project at the head of Passage Canal.

On a related matter, in our September 2016 meeting, the WBOA unanimously passed a resolution supporting another 10% berth rate hike, if the additional money raised can be dedicated to partially paying for additional repairs and improvements to the existing harbor structure.

Thanks to all of you for your hard work and dedication to Whittier.

Sincerely,

*Chris Pallister*

Chris Pallister  
President  
Whittier Boat Owners Association